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International Court of Justice

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Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nurnberg, Germany, on 10 December 1945, 1000-1245, Lord Justice Lawrence, presiding.

THE PRESIDENT: The Tribunal has received a letter from Dr. Dix on behalf of the Defendant Schacht. In answer to that, the Tribunal wishes the Defendants' Counsel to know that they will be permitted to make one speech only in accordance with Article 24 (h) of the Charter, and this speech will be at the conclusion of all the evidence.

At the conclusion of the case for the Prosecution, the Defendants' Counsel will be invited to submit to the Tribunal the evidence they propose to call, but they will be strictly confined to the names of the witnesses, and the matters to which their evidence will be relevant, and this submission must not be in the nature of a speech. Is that clear? In case there whould be any misunderstanding, what I have just said will be posted up on the board in the Defendants' Counsel room so that you can study it there.

MR. SIDNEY ALDERMAN: May it please the Tribunal, when the Tribunal rose Friday, I had just reached the point in my discussion of the aggression against the USSR where, with the campaign in the west at an end, the Nazi conspirators had begun the development of their plans to attack the Soviet Union. Preliminary high level planning and action was in progress. Hitler had indicated earlier in November that more detailed and definite instructions would be issued. These would be issued to him as soon as the general outline of the Army's operational plans had been submitted to him and approved by him. We had thus reached the point in the story indicated on the outline submitted last Friday as Part 3 of the Plan Barbarossa.

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By the 18th of December, 1940, the general outline of the Army's operational plan, having been submitted to Hitler, the basic strategical directive to the high command of the Army, Navy, and the Airforce, for Barbarossa, directive No. 21, was issued. This directive marks the first time the plan to invade the Soviet Union was specifically referred to in an order, although the order was classified Top Secret. It also marked the first use of the code word "Barbarossa" to denote this operation.

The Directive is No. 446-PS, and was offered in evidence in the course of my opening statement, as USA Exhibit No. 31. Since it was fully discussed at that time, it is, I believe, sufficient now merely to recall to the Tribunal two or three of the most significant sentences in that document. Most of these sentences appear on Page 1 of the English translation. One of the most significant, I believe, is this sentence with which the order begins, "The German Armed Forces must be prepared to crush Soviet Russia in a quick campaign before the end of the war against England."

On the same page it is stated, "Preparations requiring more time to start are - if this has not yet been done - to begin presently and are to be completed by 15 May 1941.

"Great caution has to be exercised that the intention of the attack will not be recognized."

The directive then outlines the broad strategy on which the intended invasion was to proceed, and the parts that the various services (Army, Navy and Air Force) were to play therein, and called for oral reports to Hitler by the Commanders-in-Chief, closing as follows: "V. I am expecting the reports of the Commanders-in-Chief on their further plans based on this letter of instructions.

"The preparation planned by all branches of the Armed Forces are to be reported to me through the High Command, also in regard to their time."

"Signed by Hitler, and initialed by: Jodl, Keitel, Warlimont and one illegible."

It is perfectly clear both from the contents of the order itself, as well as from its history, which I have outlined, that this directive was no more planning exercise by the Staff. It was an order to prepare for an act of aggression, which was intended to occur, and which actually did occur.

The various services, which received the order, certainly understood it as a order to prepare for action, and did not view it as any hypothetical staff problem. This is plain from the detailed planning, and operation which they immediately undertook in order to implement the general scheme set forth in this basic directive.

So we come to the military planning and preparation for the implementation of Plan Barbarossa. The Naval War Diary for 13 January, 1941, indicated the early compliance of the OKM with that part of Directive No. 21, which ordered progress in preparation to be reported to Hitler through the High Command of the Armed Forces. This entry in the War Diary is Document C-35 in our numbered series, and I offer it in evidence as Exhibit USA 132.

This document contains a substantial amount of technical information concerning the Navy's part in the coming campaign and the manner in which it was preparing itself to play that part. I fell, however, that it will be sufficient for the establishment of our point, that the Navy was actively preparing for the attack at this early date, to read only a small portion of the entry into the record, beginning on Page 1 of the English translation, which is Page 401 of the Diary itself. The entry reads:

"30 January 1941, Page 401 of the Diary.

"7. Talk by Ia about the plans and preparations for the "Barbarossa" case to be submitted to the High Command of Armed Forces."

I should note that "Ia" is in this case the abbreviation for a deputy chief of naval operations. Then follows a list of the Navy's objectives in the war against Russia. Under the latter, many tasks for the Navy are listed, but I think one is

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sufficiently typical to give the Tribunal an idea of all. I quote from the top of page 2 of the English translation:

"II. Objectives of War Against Russia.

* * * *

"d) To harass the Russian fleet by surprise blows as:

"1) Lightning-like commitments at the outbreak of the war of air force units against strong points and combat vessels in the Baltic, Black Sea, and Ice Sea."

The purpose of the offer of this document is merely that it indicates the detailed thinking and planning, which was being carried out to implement Barbarossa, almost six months before the operation actually got under way. It is but another peice in the mosaic of evidence which demonstrates beyond question of doubt that the invasion of the Soviet Union was one of the most cold-bloodedly premeditated attacks on a neighbouring power in the history of the world. Similarly, the Naval War Diary for the month of February contains at least several references to the planning and preparation for the coming campaign. Extracts of such references are contained in Document C-33, whihc I am now offering in evidence as Exhibit USA 133.

I think it will be sufficient to quote for the record as typical the entry for 19 February 1941, which appears at Page 3 of the English translation, and at Page 248 of the Diary itself.

"In regard to the impending operation 'Barbarossa' for which all S-Boats in the Baltic will be needed, a transfer of some can only be considered after conclusion of the Barbarossa operations."

On the third of February 1941, the Fuehrer held a conference to assess the progress thus far made in the planning for Barbarossa. The conference also discussed the plans for Sonnenblume, which was the code name for the North African operation - Sunflower. Attending this conference were, in addition to Hitler, the Chief of the Supreme Command of the Armed Forces, the Defendant Keitel; the Chief of the Armed Forces Operations Staff, the Defendant Johl; the Commander in Chief of the Army, Brauchitsch; the Chief of the Army General Staff, Halder, as well as several others, including Colonel Schmundt, Hitler's

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Adjutant.

A report of this conference is contained in our Document No. 872-PS, which I now offer as Exhibit USA 134.

During the course of this conference, the Chief of the Army General Staff gave a long report about enemy strength as compared with their own strength, and the general overall operational plans for the invasion. This report was punctuated at various intervals by comments from the Fuehrer.

At Page 4 of the English translation of the conference plan, which is at Page 5 of the German original, there is an interesting extract, which although written in semi-shorthand, is at least sufficiently clear to inform us that elaborate time-tables had already been set up for the deployment of troops as well as for industrial operations. I quote:

"The intended time period was discussed with a plan: 1st Deployment Staffel (Aufmarschstaffel) transfer now, Front Germany - East; 2nd Deployment Staffel (Aufmarschstaffel) from the middle of March will give up 3 divisions for reinforcement in the West. Army groups and Army High Commands are being withdrawn from the West. There are already considerable reinforcements though still in the rear area. From now on, Attila"-- I might state here parenthetically that this was the code word for the operation for the occupation of unoccupied France- "can be carried out only under difficulties. Industrial traffic is hampered by transport movements. From the middle of April, Hungary will be approached about the march through. Three deployment staffels from the middle of April. Felix is now no longer possible as the main part of the artillery is being entrained." "Felix" was the name for the proposed operation against Gibraltar.

"In industry the full capacity timetable is in force. No more camouflage.

"From 25.IV - 15.V, 4 staffels to withdraw considerable forces from the West. (Seelowe, or Sea Lion,--was a code word for the planned operation against England and Marita, which we shall see a little later in the quotation, was the code word for the action against Greece.) Seelowe can no longer be carried out. The strategic concentration in the East is quite recognisable.

"The full capacity time-table remains. 8 Marita divisions complete the picture of the disposition of forces on the plan.

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"C-in-C Army requested that he no longer have to employ 5 control divisions for this, but might hold them ready as reserves for commanders in the West.

"Fuehrer: 'When Barbarossa commences, the world will hold its breath and made no comment.'"

This much, I believe, when read with the conference conclusions, which I shall read in a moment, is sufficient to show that the Army as well as the Navy regarded Barbarossa as an action directive and were far along with their preparations even as early as February of 1941 - almost five months prior to 22 June, the date the attack was actually launched. The conference report summarized the conclusions of the conference, insofar as they affected Barbarossa, as follows. I am now reading from Page 6 of the English translation, which is on Page 8 of the German:

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"Conclusions:

"1). Barbarossa.

"a). The Fuehrer on the whole was in agreement with the operational plan. When it is being carried out, it must be remembered that the main aim is to gain possession of the Baltic States and Leningrad.

"b). The Fuehrer desires that the operation map and the plan of the disposition of forces be sent to him as soon as possible.

"c). Agreements with neighbouring states, who are taking part, may not be concluded until there is no longer any necessity for camouflage. The exception is Roumania with regard to the reinforcing of the Moldau.

"d). It must, at all costs, be possible to carry out Attila.

"e). The strategic concentration for Barbarossa will be camouflaged as a feint for Seeloewe and the subsidiary measure Marita."

On 13th March 1941, the Defendant Keitel signed an operational supplement to Fuehrer Order #21, which was issued in the form of "Directives for Special Areas". This detailed operational order is No. 447-PS in our numbered series, and I now offer it in evidence as Exhibit USA No. 135.

This order which was issued more than three months in advance of the attack, indicates how complete were the plans on practically every phase of the operation. Section I of the directive is headed "Area of Operations and Executive Power," and outlines who was to be in control of what and where. It states that while the campaign is in progress in territory through which the army is advancing, the Supreme Commander of the Army has the executive power. During this period, however, the Reichsfuehrer SS is entrusted with "special tasks". This assignment is discussed in paragraph 2b, which appears on page 1 of the English transla-

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tion, and reads as follows:

"b) In the area of operations, the Reichfuehrer SS is, on behalf of the Fuehrer, entrusted with special tasks for the preparation of the political administration, tasks which result from the struggle which has to be carried out between two opposing political systems. Within the realm of these tasks, the Reichsfuehrer SS shall act independently and under his own responsibility. The executive power invested in the Supreme Commander of the Army (OKH) and in agencies determined by him shall not be affected by this. It is the responsibility of the Reichsfuehrer SS that through the execution of his tasks, military operations shall not be disturbed. Details shall be arranged directly through the OKH with the Reichsfuehrer SS".

The order then states that in time political administration will be set up under Commissioners of the Reich, and discusses the relationship of these officials to the army. This is contained in paragraph 2c and paragraph 3, parts of which I should like to read:

"c) As soon as the area of operations has reached sufficient depth, it is to be limited in the rear. The newly occupied territory in the rear of the area of operations is to be given its own political administration. For the present, it is to be divided, according to its genealogic basis and to the positions of the Army Groups, into North (Baltic countries), Center (White Russia) and South (Ukraine). In these territories the political administration is taken care of by Commissioners of the Reich who receive their orders from the Fuehrer.

"3) For the execution of all military tasks within the areas under the political administration in the rear of the area of operations, commanding officers who are responsible to the Supreme Commander of the Armed Forces (OKW) shall be in command.

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"The commanding officer is the supreme representative of the Armed Forces in the respective areas and the bearer of the military sovereign rights. He has the tasks of a Territorial Commander and the rights of a supreme Army Commander or a Commanding General. In this capacity he is responsible primarily for the following tasks:

"a) Close cooperation with the Commissioner of the Reich in order to support him in his political tasks.

"b) Exploitation of the country and securing its economic values for use by German industry."

The directive also outlines the responsibility for the administration of economy in the conquered territory, a subject I will develop more fully later in my presentation. This provision is also in Section I, paragraph 4, which I shall read:

"4. The Fuehrer has entrusted the uniform direction of the administration of economy in the area of operations and in the territories of political administration to the Reich Marshal, who has delegated the Chief of the 'Wi Rue Amt' with the execution of the task. Special orders on that will come from the OKW/Wi/Rue/Amt."

The second section deals with matters of personnel -

THE PRESIDENT: Mr. Alderman, will you tell us at sometime who these people are? Who is the Reich Marshal?

MR. ALDERMAN: The Reich Marshal is the Defendant Goering.

THE PRESIDENT: And who was the Reichsfuehrer SS at that time?

MR. ALDERMAN: Himmler.

THE PRESIDENT: Himmler?

MR. ALDERMAN: Yes.

The second section deals with matters of personnel, supply and communication traffic, and I shall not read it here.

Section III of the order deals with the relations with certain other countries, and states in part as follows -- I am reading from page 3 of

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the English translation:

"III. Regulations regarding Rumania, Slovakia, Hungary and Finland.

"9) The necessary arrangements with these countries shall be made by the OKW, together with the Foreign Office, and according to the wishes of the respective high commands. In case it should become necessary during the course of the operations to grant special rights, applications for this purpose are to be submitted to the OKW."

The document closes with a section regarding Sweden, which is also on page 3 of the English translation.

"IV. Directives regarding Sweden.

"12) Since Sweden can only become a transient area for troops, no special authority is to be granted the commander of the German troops. However, he is entitled and compelled to secure the immediate protection of RR-transports against sabotage and attacks.

"The Chief of the High Command of the Armed Forces.

signed: KEITEL"

As was hinted in the original Barbarossa Order, Directive No. 21 which I discussed earlier, the plan originally contemplated that the attack would take place about the 15th of May 1941. In the meantime, however, the Nazi conspirators found themselves involved in a campaign in the Balkans, and were forced to delay Barbarossa for a few weeks. Evidence of this postponement is found in a document, which bears our Number C-170. This document has been identified by the Defendant Raeder as a compilation of official extracts from the Naval War Staff War Diary. It was prepared by naval archivists who had access to the Admiralty files, and contains file references to the papers which were the basis for each entry.

I offer that document in evidence as Exhibit U.S.A. 136.

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Although I shall refer to this document again, I should like at present to read only an item which appears in the 2nd paragraph of item 142, on page 19 of the English translation, and which is in the text and in a footnote on page 26 in the German original. This item is dated 3 April 1941, and reads as follows:

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"Balkan Operations delayed 'Barbarossa' at first for about five weeks. All measures which can be construed as offensive actions are to be stopped according to Fuehrer order."

By the end of April, however, things were sufficiently straigntened out to permit the Fuehrer to definitely set "D" Day as the 22nd of June - more than seven seeks away. Document No. 873-PS, in our series, is a "Top Secret" report of a conference with the Chief of the Section Landsverteideigung of the Wehrmacht Fuehrungsstab on 30 April, 1941.

I now offer that document in evidence as Exhibit USA No. 137.

I think it will be sufficient to read the first two paragraphs of this report:

"1) Timetable Barharossa:

The Fuehrer has decided:

Action Barbarossa begins on 22 June. From 23 May, maximal troop movements performance schedule. At the beginning of operations, the OKH reserves will have not yet reached the appointed areas.

"2) Proportion of actual strength in the plan Barbarossa:

Sector North: German and Russian forces approximately of the same strength.

Sector Middle: Great German superiority

Sector South Russian superiority"

Early in June, practically three weeks before D-Day, preparations for the attack were so complete that it was possible for the High Command to issue an elaborate timetable, showing in great detail the disposition and missions of the Army, Navy and Air Force.

This timetable is Document No. C-39 in our series, and I offer it now as Exhibit USA 138.

This document was prepared in 21 copies, and the one offered here was the third copy which was given to the High Command of the Navy. Page 1 is in the form of a transmittal, and reads as follows:

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"Top Military Secret

Supreme Command of the Armed Forces

Nr. 44842/41 Top Military Secret WFST/abt.L (I op)

Fuehrer's Headquarters
(no date)

Top Secret (Chef Sache) 21 copies
Only through officer 1 op.00845/41
Received 6 June
Enclosures: --

The Fuehrer has authorized the appended timetable as a foundation for further preparations for 'Barbarossa'. If alterations should be necessary during execution, the Supreme Command of the Armed Forces must be informed.

Chief of Supreme Command of the Armed Forces

signed: Keitel"

I shall not bother to read you the distribuation list which indicates where the 21 copies went.

The next two pages of the document are in the form of text, outlining the state of preparations as of the 1st of June, 1941.

THE PRESIDENT: Mr. Alderman, the Tribunal does not think it necessary that you should read all those preliminary matters ahead of these documents, "Top Secret," "Only through officer," and then the various reference numbers and file information, when you give identification of a document.

MR. ALDERMAN: Yes, sir.

The next two pages of the document are in the form of text, outlining the state of preparations as of the 1st of June, 1941. The outline is in six paragraphs covering the status on that date under six headings: General, Negotiations with Friendly States, Army, Navy, Air Force and Camouflage.

I think it unnecessary to read into the record any of this textual material. The remainder of the paper is in tabular form with six columns headed from left to right at the top of each page - Date, Serial Number, Army, Navy, OKW, Remarks. Most interesting among the items appearing on this Chart --

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THE PRESIDENT: Mr. Alderman, willyou read the first paragraph, for that seems to be important. There are two lines there.

MR. ALDERMAN: Yes.

THE PRESIDENT: The heading "General" on page 2.

MR. ALDERMAN: Yes, sir.

"1. General.

"The time table for the maximum massing of troops in the East was put into operation on the 22nd of May."

THE PRESIDENT: Yes.

MR. ALDERMAN: (Continuing) Most interesting among the items appearing on this Chart, in my opinion, are those appearing on pages 9 and 10. These are at Page 8 of the German version. At the bottom of Page 9, it is provided in the columns for Army, Navy and Air Force that, and I quote:

"Till 1300 hours latest time at which operation can be cancelled."

Under the column headed OKW appears the note that, and again I quote:

"Cancelled by code word 'Altona' or further confirmation of start of attack by code word: 'Dortmund.'"

In the Remarks column appears the statement that:

"Complete absence of camouflage of formation of Army point of main effort, concentration of armor and artillery must be reckoned with."

The second entry on page 10 of the chart for the 22nd of June, under serial number 31, gives a notation which cuts across the columns for the Army, Navy and OKW, and provides as follows, under the heading:

"Invasion Day

"H-hour for the start of the invasion by the Army and crossing of the frontier by the Air Forces. 0330 hours."

In the Remarks column, it states that:

"Army assembly independent of any lateness in starting owing to weather on the part of the Air Force.

The other parts of the chart are similar in nature to those quoted, and give, as I have said, great detail concerning the disposition and missions of the various components of the Armed Forces.

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On 9 June, 1941, the order of the Fuehrer went out for final reports on Barbarossa to be made in Berlin on 14 June, 1941, which was just 8 days before "D-Day". This order is signed by Hitler's Adjutant, Schmundt, and is C-78 in our numbered series of documents.

I offer it in evidence now as Exhibit USA 139.

I read from page one the matter under the heading "Conference 'Barbarossa.'"

"1. The Fuehrer and Supreme Commander of the Armed Forces have ordered reports on 'Barbarossa' by the Commanders of Army Groups, Armies, and Naval and Air Commanders of equal rank.

"2. The reports will be made on Saturday, 14 June, 1941, at the Reich Chancellery, Berlin.

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"3. Time Table.

a) 11.00 hrs . . . . . "Silver Fox"

b) 12.00 hrs - 14 hrs . . . . . Army Group South

c) 14.00 hrs. - 15.30 hrs. . . . . Lunch party for all participants in conference

d) From 15.30 hrs. . . . . Baltic, Army Group North, Army Group "Center" in this order."

It is signed by Schmundt.

There is attached a list of participants, and the order in which they will report, which I shall not read. The list includes, however, a large number of the members of the Defendant High Command and General Staff Group, as of that date. Among those to participate were, of course, the Defendants, Goering, Keitel, Jodl and Raeder.

I believe that the documents which I have introduced and quoted from are more than sufficient to establish conclusively the premeditation and cold-blooded calculation which marked the military preparations for the invasion of the Soviet Union. Starting almost a full year before the commission of the crime, the Nazi conspirators planned and prepared every military detail of their aggression against the Soviet Union with all of that thoroughness and meticulousness which has come to be associated with the German character. Although several of these defendants played specific parts in this military phase of the planning and preparation for the attack, it is natural enough that the leading roles were performed, as we have seen, by the military figures - the Defendants Goering, Keitel, Jodl and Raeder.

Next, preparation for plunder - plans for the economic exploitation and spoliation of the Soviet Union.

Not only was there detailed preparation for the invasion from a purely military standpoint, but equally elaborate and detailed planning and preparation was undertaken by the Nazi conspirators to insure that their aggression would prove economically profitable.

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A little later in my presentation, I will discuss with the Tribunal the motives which led these conspirators to attack, with provocation, a neighboring power. I shall, at that time, show that the crime was motivated by both political and economic considerations. The economic basis, however, may be simply summarized at this point as the greed of the Nazi conspirators for the raw material, food and other supplies which their neighbor possessed, and which they conceived of themselves as needing for the maintenance of their war machine. To these defendants, a need was translated as a right, and they early began planning and preparing with typical care and detail to insure that every bit of the plunder, which it would be possible to reap in the course of their aggression, would be exploited to their utmost benefit.

I have already put into the record evidence showing that as early as August of 1940, General Thomas, the Chief of the B Group Army, received a hint from the Defendant Goering about a possible attack on the U.S.S.R. which prompted him to begin considering the Soviet war economy. I also said at that time that I would later introduce evidence that in November 1940 - 8 months before the attack - Thomas was categorically informed by Goering of the planned operation in the East, and preliminary preparations were commenced for the economic plundering of the territories to be occupied in the course of such operation. Goering, of course, played the overall leading role in this activity, by virtue of his position at the head of the Four Year Plan.

Thomas describes his receipt of the knowledge and this early planning at page 369 of his draft, which is our Document 2353-PS, introduced earlier as USA Exhibit No. 35; the part I will read is at pages 10 and 11 of the English translation.

"In November 1940, the Chief of Wi. Rue, together with Secretaries of State Korner, Neumann, Backe and General von Hanneken were informed by the Reichmarshal of the action planned in the East.

"By reason of these directives the preliminary preparations for the action in the East were commenced by the office of Wi. Rue at the end of 1940.

"The preliminary preparations for the action in the East included first of all the following tasks:

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"1. Obtaining of a detailed survey of the Russian armament industry, its location, its capacity and its associate industries.

"2. Investigation of the capacity of the different big armament centers and their dependency one on the other.

"3. Determine the power and transport system for the industry of the Soviet Union.

"4. Investigation of sources of raw materials and petroleum (crude oil).

"5. Preparation of a survey of industries other than armament industries in the Soviet Union.

"These points were concentrated in one big compilation 'War Economy of the Soviet Union' and illustrated with detailed maps, etc."

I am still quoting: "Furthermore a card index was made, containing all the important factories in Soviet Russia and a lexicon of economy in the German-Russian language for the use of the German war economy organization.

"For the processing of these problems a task staff, Russia, was created, first in charge of Lt. Col. Luther and later on in charge of Brigadier General Schuberth. The work was carried out according to the directives from

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the chief of the office, respectively" -- I suppose -- "the group of departments for foreign territories (Ausland) with the cooperation of all departments, economy offices and any other persons possessing information on Russia. Through these intensive preparative activities an excellent collection of material was made, which proved of the utmost value later on for carrying out the operations and for administering the territories." That ends the quotation.

By the end of February 1941 this preliminary planning had proceeded to a point where a broader plan of organization was needed, and so General Thomas held a conference with his subordinates on 28 February 1941 to call for such a plan. A memorandum of this conference, classified "Top Secret" and dated 1 March 1941 was captured, and is our Document 1317-PS. I now offer it in evidence as US Exhibit 140. The text of this memorandum reads as follows:

"The general ordered that a broader plan of organization be drafted for the Reich Marshal.

"Essential Points:

"1. The whole organization to be subordinate to the Reich Marshal. Purpose: Support and extension of the measures of the four-year plan.

"2. The organization must include everything concerning war economy, excepting only food, which is said to be made already a special mission of State Secretary Backe.

"3. Clear statement that the organization is to be independent of the military or civil administration. Close coordination, but instructions direct from the central office in Berlin.

"4. Scope of activities to be divided in two steps:

a) Accompanying the advancing troops directly behind the front lines, in order to avoid the destruction of supplies and to secure the removal of important goods.

b) Administration of the occupied industrial districts and exploitation of economically complementary districts."

And then, on the bottom of page 1:

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"5. In view of the extended field of activity, the term 'war economy inspection' is to be used preferably, instead of armament inspection.

"6. In view of the great field of activity,the organization must be generously equipped and personnel must be correspondingly numerous. The main mission of the organization will consist of seizing raw materials and taking over all important concerns. For the latter mission reliable persons from German concerns will be interposed suitably from the beginning, since successful operation from the beginning can only be performed by the aid of their experience. (For example, lignite, ore, chemistry, petroleum).

"After the discussion of further details, Lt. Col. Luther was instructed to make an initial draft of such an organization within a week.

"Close cooperation with the individual sections in the building is essential. An officer must still be appointed for the Wi. and Rü, with whom the operational staff can remain in constant contact. Wi is to give each section chief and Lt. Col. Luther a copy of the new plan regarding Russia.

"Major General Schubert is to be asked to be in Berlin the second half of next week. Also, the 4 officers who are ordered to draw up the individual armaments inspection are to report to the office chief at the end of the week.

"Signed,

"Hamann."

Hamann, who signed the report, is listed among those attending as a Captain and apparently the junior officer present, so presumably it fell naturally enough to Hamann to prepare the notes on the conference.

The authority and mission of this organization which Thomas was organizing at the direction of Goering was clearly recognized by Keitel in his operational order of 13 March 1941. This order is No. 447-PS, and I have already offered it in evidence earlier as

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Exhibit USA 135. At that time I quoted the paragraph in the order in which it was stated that the Fuehrer had entrusted the uniform direction of the administration of economy in the area of operation and political administration to the Reich Marshal who, in turn, had delegated his authority to the Chief of the Wi. Rue. Amt.

The organizational work called for by General Thomas at the meeting on 28 February apparently proceeded apace, and on 29 April 1941 a conference was held with various branches of the armed forces to explain the organizational setup of the economic staff Oldenburg. Oldenburg was the code name given to this economic counterpart of plan Barbarossa. A report of this conference is captured Document No. 1157-PS, and I now offer it in evidence as Exhibit USA 141. Section 1 of this memorandum deals with the general organization of Economic Staff Oldenburg as it had developed by this time, and I should like to read most of that section into the record. The report begins:

"Conference with the Branches of the Armed Forces at 1000 hours on 29th April 1941.

I.

Welcome

"Purpose of meeting: Introduction to the organizational structure of the economic sector of this action.

Barbarossa - Oldenburg.

"As already known, the Fuehrer, contrary to previous procedure, has ordered for this drive the uniform concentration in one hand of all economic operations and has entrusted the Reich Marshal with the overall direction of the economic administration in the area of operations and in the areas under political administration.

"The Reich Marshal has delegated this function to an economic general staff working under the director of the industrial armament office (Chief Wi Rue Amt.)

"Under the Reich Marshal and the economic general staff, the supreme central authority in the area of the drive itself is the" --

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and then a heading --

"Economic Staff Oldenburg for special duties under the command of Major General Schubert.

"His subordinate authorities, geographically subdivided, are:

5 economic inspectorates

23 economic commands and

12 sub-offices, which are distributed among important places within the area of the economic command.

"These offices are used in the military rear area. The idea is that in the territory of each army group an economic inspectorate is to be established at the seat of the commander of the military rear area, and that this inspectorate will supervise the economic exploitation of the territory.

"A distinction must be made between the military rear area on the one hand, and the battle area proper and the rear area of the army on the other hand. In the last economic matters are dealt with by the IV Econ (IV Wi) of the army headquarters command, that is, the liaison officer of the industrial armament office within the supreme command of the armed forces at the army headquarters command. For the battle area, he has attached to him technical battalions, reconnaissance and recovery troops for raw materials, mineral oil, agricultural machinery, in particular tractors and means of production.

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"In the territory between the battle and the military rear area, the rear area of the army, group IV Econs at the various field commands are placed at the disposal of the liaison officer of the industrial armaments office in order to support the army headquarters commands specialists responsible for supplying the troops from the country's resources and preparing the subsequent general economic exloitation.

"While these units move with the troops, economic inspectorates, economic commands and their sub-offices remain established in the locality.

"The new feature inherent in the organization under the command of the Economic Staff Oldenburg is that it does not only deal with military industry, but comprises the entire economic field. Consequently, all offices are no longer to be designated as offices of the military industries or armaments, but quite generally as economic inspectorates, economic commands, etc.

"This also corresponds with the internal organization of the individual offices which, from the Economic Staff Oldenburg down to the economic commands, requires a standard sub-division into three large groups, i.e.

"Group M, dealing with troop requirements, armaments, industrial transport organization;

"Group L, which concerns itself with all questions of feeding and agriculture, and

"Group W, which is in charge of the entire field of trade and industry, including raw materials and supplies; further, questions of forestry, finance and banking, enemy property, commerce and exchange of commodities, and manpower allocation.

"Secretary of State Backe is appointed Commissioner for Food and Agriculture in the General Staff; the problems falling within the field of activities of Group W are dealt with by General von Hanneken."

The remainder of the document deals with local subdivisions,

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personnel and planning problems, and similar details, which I think it unnecessary to put into the record.

These documents portray vividly the coldly calculated method with which these Nazis prepared months in advance to rob and loot their intended victim. They show that the conspirators not only planned to stage a wanton attack on a neighbor they had pledged to security, but that they also intended to strip that neighbor of its food, its factories, and all its means of livelihood.

As I shall point out more fully later, when I discuss the question of motivation, these men made their plans for plunder being fully aware that to carry them out would necessarily involve ruin and starvation for millions of the inhabitants of the Soviet Union.

THE PRESIDENT: This would be a good time to adjourn.

(A recess was taken from 1120 to 1130 hours.)

DR. DIX: I beg your pardon. We ask the Court to be excused. Through some error, we couldn't come in here.

MR. ALDERMAN: May the Tribunal please, I have been informed by the interpreters that I have been speaking at a great speed this morning, so I shall try to temper the speed.

Next, the politics of destruction, preparation for the political phase of the aggression. As I have already indicated and as I shall develop more fully later in this discussion, there were both economic and political reasons motivating the action of the conspirators in invading the Soviet Union. I have already discussed the extent of the planning and preparations for the economic side of the aggression. Equally elaborate planning and preparation was engaged in by the conspirators to ensure the effectuation of the political aims of their aggression. It is, I believe, sufficient at this point to describe that political aim as the elimination of the Union of Soviet Socialist Republics as a powerful political factor in Europe and the acquisition of lebensraum.

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For accomplishing this purpose, the Nazi conspirators selected as their agent the defendant Rosenberg. As early as the second of April 1941 Rosenberg or a member of his staff prepared a memorandum on the USSR. This memorandum considers what the political goal of such occupation should be and suggests ways for reaching such a goal.

The memorandum is No. 1017 PS in our series, and I offer it in evidence now as Exhibit No. 142 USA.

Beginning with the second paragraph, it reads, under the subject, "The USSR":

"A military conflict with the USSR, will result in an extraordinarily rapid occupation of an important and large section of the USSR. It is very probable that military action on our part will very soon be followed by the military collapse of the USSR. The occupation of these areas would then present not so many military as administrative and economic difficulties. Thus arises the first question:

"Is the occupation to be determined by purely military and/or economic needs, or is the laying of political foundations for a future organization of the area also a factor in determining how far the occupation shall be extended? If so, it is a matter of urgency to fix the political goal which is to be attained, for it will, without doubt, also have an effect on military operations.

"If the political overthrow of the Eastern Empire, in the weak condition it would be at the time, is set as the goal of military operations, one may conclude that:

"1) The occupation must comprise areas of vast proportions;

"2) From the very beginning, the treatment of individual sections of territory should, as regards administration, as well as economics and ideology, be adapted to the political ends we are striving to attain.

"3) Again, extraordinary questions concerning these vast

areas, such as, in particular, the ensuring of essential supplies for the continuation of the war against England, the maintenance of production which this necessitates and the great directives for the completely separate areas, should best be dealt with all together in one place.

"It should again be stressed here that, in addition, all the arguments which follow of course only hold good once the supplies from the area to be occupied, which are essential to Greater Germany for the continuance of the war, have been assured.

"Anyone who knows the East, sees in a map of Russia's population the following national or geographical units:

"(a) Greater Russia with Moscow as its center.

"(b) White Russia with Minsk or Smolensk as its capital.

"(c) Esthonia, Latvia, and Lithuania.

"(d) The Ukraine, Latvia, and Lithuania.

"(e) The Don area with Rostov as its capital.

"(f) The area of the Caucasus.

"(g) Russian Central Asia or Russian Turkestan."

The memorandum then proceeds to discuss each of the areas or geographical units lists in some detail, and I shall not read those pages.

At the end of the paper, however, the writer sums up those and briefly outlines his plan. I should like to read that portion into the record. It is at the bottom of Page 4

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of the English translation under the heading "Summary":

"The following systematic constructional plan is evolved from the points briefly outlined here:

"(1) the creation of a central department for the occupied areas of the USSR, to be confined more or less to war time.

"Working in agreement with the higher and supreme Reich authorities, it would be the task of this department--

"(a) to issue binding political instructions to the separate administration areas, having in mind the situation existing at the time and the goal which is to be achieved.

"(b) to secure for the Reich supplies essential to the war from all the occupied areas.

"(c) to make preparations for, and to supervise the carrying out, in main outline, of the primarily important questions for all areas, as for instance, those of finance and funds, transport, and the production of oil, coal and food:

"(2) the carrying out of sharply defined decentralization in the separate administration areas, grouped together by race or by reason of political economy, for the carrying out of the totally dissimilar tasks assigned to them.

"As against this, an administrative department, regulating matters in principle, and to be set up on a purely economic basis, as is at present envisaged, might very soon prove to be inadequate, and fail in its purpose. Such a central office would be compelled to carry out a common policy for all areas, dictated only by economic considerations, and this might impede the carrying out of the political task and, in view of its being run on purely bureaucratic lines, might possibly even prevent it.

"The question therefore arises, whether the opinions which have been set forth should not, purely for reasons of expediency, be taken into consideration from the very beginning when organizing the administration of the territory on a basis of war economy. In view of the vast spaces and the difficulties of administration which arise from that alone, and also in view of the living

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conditions created by Bolshevism, which are totally different from those of Western Europe, the whole question of the USSR would require different treatment from that which has been applied in the individual countries of Western Europe."

JUSTICE BIDDLE: Is that signed?

MR. ALDERMAN: No, sir, it is not signed.

JUSTICE BIDDLE: Is it in the defendant Rosenburg's handwriting?

MR ALDERMAN: It was in the Rosenberg file.

JUSTICE BIDDLE: Is there anything to indicate that he wrote it?

MR. ALDERMAN: No. I said it was evidently prepared by Rosenberg or under his authority. We captured the whole Rosenberg file, which constitutes really, a large library.

It is evident that the "presently envisaged administration operating ona purely economic basis" to which the memorandum objects was the Economic Staff Oldenburg, which I have already described as having been set up under Goering and General Thomas.

Rosenberg's statement, if this be his statement, of the political purpose of the invasion and his analysis of the achieving of it, apparently did not fall on deaf ears. By a Fuehrer order, dated 20 April 1941, Rosenburg was name Commissioner for the Central Control of Questions Connected with the East European Region. This order is part of the correspondence file regarding Rosenburg's appointment, which has been given the Number 865 PS in our series. I ask that this file, all relating to the same subject, and consisting of four letters, all of which I shall read or refer to, be admitted in evidence as Exhibit USA 143.

The order itself reads as follows: It is the first item on the English translation of 865 PS:

"I name Reichsleiter Alfred Rosenburg as my Commissioner for the central control of questions connected with the East - European Region.

"An office, which is to be established in accordance with his orders, is t the disposal of Reichsleiter Rosenburg for the carrying out of the duties there by entrusted to him.

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"The necessary money for this office is to be taken out of the Reich Chancellory Treasury in a lump sum.

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"Fuehrer's Headquarters, 20th April 1941. The Fuehrer /signed/ Adolf Hitler. Reich Minister and Head of Reich Chancellory /signed/ Dr. Lammers."

This particular copy of the Fuehrer's order was enclosed in a letter which Dr. Lammers wrote to the defendant Keitel requesting his cooperation for Rosenberg and asking that Keitel appoint a deputy to work with Rosenberg. This letter reads as follows: It is on the stationery of The Reich Minister and the Head of the Reich Chancellory, Berlin, 21 April, 1941. I omit the salutation.

"Herewith I am sending you a copy of the Fuehrer's Decree by which the Fuehrer appointed Reichsleiter Alfred Rosenberg as his Commissioner for the central control connected with the East European Region. In this capacity Reichsleiter Rosenberg is to make the necessary preparations for the probable emergency with all speed. The Fuehrer wishes that Rosenberg shall be authorized for this purpose to obtain the closest cooperation of the highest Reich authorities, receive information from them, and summon the representatives of the Highest Reich Authorities to conferences. In order to guarantee the necessary secrecy of the commission and the measures to be undertaken, for the time being only those of the highest Reich Authorities should be informed on whose cooperation Reichsleiter Rosenberg will primarily depend. These are: The Commissioner for the Four YearPlan"--that is Goering--"the Reichs Minister of Economies and you yourself --" that is Keitel.

"Therefore, may I ask you, in accordance with the Fuehrer's wishes, to place your cooperation at the disposal of the Reichsleiter Rosenberg in the carrying out of the task imposed upon him.

"It is recommended in the interests of secrecy that you name a representative in your office with whom the office of the Reichsleiter can communicate and who in addition to your usual deputy should be the only one to whom you should communicate the contents of this letter.

"I should be obliged if you would acknowledge the receipt of this letter.

"Heil Hitler, Yours very sincerely, /signed/ Dr. Lammers.

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In the next letters Keitel writes Lammers acknowledging receipt of his letter and telling of his compliance with the request. Keitel also writes Rosenberg telling him of the action he has taken. Now, the letter to Dr. Lammers I shall read the text of:

"Dear Reich Minister:

"I acknowledge receipt of the copy of the Fuehrer's Decree in which the Fuehrer appointed Reichsleiter Alfred Rosenberg as his Commissioner for the central control of questions connected with the East European Region. I have named General of the Artillery Jodl, Head of the Armed Forces Operational Staff, as my permanent deputy, and Major General Warlimont as his Deputy."

And the letter to Reichsleiter Rosenberg on the same date:

"Dear Reichsleiter:

"The Head of the Reich Chancellory has sent me a copy of the Fuehrer's Decree, by which he has appointed you his Commissioner for the central control of questions connected with the East European Region. I have charged General of the Artillery Jodl, Head of the Armed Forces Operational Staff and his Deputy, Major General Warlimont, with the solving of these questions, as far as they concern the Supreme Command of the Armed Forces. Now I ask you, as far as your office is concerned, to deal with him only."

Immediately upon receipt of the order from Hitler, Rosenberg began building his organization, conferring with the various ministries, issuing his instructions and generally making the detailed plans and preparations necessary to carry out his assigned mission. Although Rosenberg's files, which were captured intact, were crowded with documents evidencing both the extent of the preparation and its purpose, I believe that the citation of a small number which are typical should be sufficient for the Tribunal and the record. All of those I shall now discuss were found in the Defendant Rosenberg's files.

Our document numbered 1030-PS is a memorandum, dated 8 May 1941,

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entitled "General Instructions for all Reichkommissars in the occupied Eastern Territories." I offer that in evidence as Exhibit USA 144.

In these instructions to his chief henchmen, Rosenberg outlines clearly the political aims and purposes of the attack. In the second two paragraphs of the English translation, which appear on Page 2 of the German, the following remarks appear:

"The only political goal of war can be the aim to free the German Reich from the 'grossrussisch' pressure for centuries to come. This does not only correspond with German interests, but also with historical justice, for Russian Imperialism was in a position to accomplish its policy of conquest and oppression almost unopposed, whilst it threatened Germany again and again. Therefore, the German Reich has to beware of starting a campaign against Russia with a historical injustice, meaning the reconstruction of a Great Russian Empire, no matter of what kind. On the contrary, all historical struggles of the various nationalities against Moscow and Petersburg have to be scrutinized for their bearing on the situation today. This has been done on the part of the National Socialist movement to correspond to the Leader's political testament as laid down in his book, that now the military and political threat from the East shall be eliminated forever.

'Therefore this huge area must be divided according to its historical and racial conditions into Reichskommissariats, each of which bears within itself a different political aim. The Reich Kommissariat Eastland (Ostland), including White Ruthenia, will have the task to prepare, by way of development into a Germanized Protectorate, a progressively closer cohesion with Germany. The Ukraine shall become an independent state in alliance with Germany and Caucasia with the contiguous Northern Territories a Federal State with a German plenipotentiary. Russia proper must put her own house in order for the future. These general viewpoints are explained in

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the following instructions for each Reich Kommissar. Beyond that there are still a few general considerations which possess validity for all Reich Kommissars."

The fifth paragraph of the English translation, Page 7 of the German, presents a fascinating rationalization of a contemplated robbery. It reads:

"The German people has achieved, in the course of centuries, tremendous accomplishments in the Eastern European area. Nearly its entire real estate property was confiscated without indemnification; hundreds of thousands (in the South, on the Volga) starved or were deported, or, like in the Baltic territories, were cheated out of the fruits of their cultural work during the past 700 years. The German Reich will now have to proclaim the principle, that after the occupation of the Eastern Territories, the former German assets have become property of the people of Greater Germany, irrespective of the consent of the former individual proprietors where the German Reich may reserve the right (assuming that it has not already been done during resettlement) to arrange a just settlement. The manner

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of compensation and restitution of this national property, will be subject to different treatment by each Reich Kommissariat."

Document No. 1029-PS in our series is an "Instruction for a Reich Kommissar in the Baltic Countries and White Russia." It is typical of the type of instructions which was issued to each of the appointed commissioners or Kommissars, and is amazingly frank in outlining the intentions of the Nazi conspirators toward the country they intended to occupy in the course of their aggression. I offer this document in evidence as Exhibit USA 145. I should like to read into the record the first three paragraphs.

It begins: "All the regions between Narva and Tilsit have constantly been in close relationship with the German people. A 700-year-old history has moulded the inner sympathies of the majority of the races living there in a European direction, and has added this region to the living space of Greater Germany.

"The aim of a Reich Kommisar for Esthonia, Latvia, Lithuania and White Russia"--last words added in pencil--"must be to strive to achieve the form of a German Protectorate, and then transform the region into part of the Greater German Reich by germanizing racially possible elements, colonizing Germanic races and banishing undesirable elements. The Baltic Sea must become a Germanic inland sea under the guardianship of Greater Germany.

"For certain cattle-raising products the Baltic region was a land of surplus, and the Reich Kommissar must endeavour to make this surplus once more available to the German people, and, if possible, to increase it. With regard to the process of germanizing or resettling, the Esthonian people are strongly germanized to the extent of 50 per cent by Danish, German and Swedish blood, and can be considered as a kindred nation. In Latvia the section capable of being assimilated is considerably smaller than in Esthonia. In this country stronger resistance will have to be reckoned with and banishment on a larger scale will have to be envisaged. A similar development may have to be reckoned with in Lithuania, for here too

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the emigration of racial Germans is called for in order to promote very intensive germanization (on the East Prussian border)."

Skipping a paragraph, the next paragraph is also interesting and reads as follows.

"The task of a Reich Kommissar with his seat of office in Riga will therefore largely be an extraordinarily positive one. A country which 700 years ago was captured by German Knights, built up by the Hanseatic League, and by reason of a constant influx of German blood, together with Swedish elements, was a predominantly germanized land, is to be established as a mighty German borderland. The preliminary cultural conditions are available everywhere, and the German Reich will be able to guarantee the right to a later emigration to all those who have distinguished themselves in this war, to the descendants of those who gave their lives during the war, and also to all who fought in the Baltic campaign, never once lost courage, fought on in the hour of despair and delivered Baltic civilization from Bolshevism. For the rest, the solution of the colonization problem is not a Baltic question, but one which concerns Greater Germany, and it must be settled on these lines."

These two directives are, I think, sufficiently typical of the lot to show the Tribunal the extent of the planning and preparation for this phase of the aggression as well as the political purpose it was hoped would be achieved thereby. However, on 28th June, 1941, less than a week after the invasion, Rosenberg himself prepared a full report of his activities since his appointment on the 20th of April. One might almost think he had so meticulously recorded his activities in order to be of assistance to

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this prosecution.

This report is numbered 1039-PS, and I now offer it in evidence as Exhibit U.S.A. 146. To me the most interesting things about this report are its disclosures concerning the number of these defendants who worked with and assisted Rosenberg in the planning and preparation for this phase of the aggression and the extent to which practically all of the ministries and offices of both the State and the Party are shown to have been involved in this operation. The report was found in the Defendant Rosenberg's files and, although it is rather long, it is of sufficient importance in implicating persons, groups and organizations that it must, I believe, be read in full in order that it may be made part of the record. It is headed "Report on the Preparatory Work in Eastern European Questions."

"Immediately after the notification of individual Supreme Reich offices regarding the Fuehrer's decree of 20.4.41 a conference with the Chief of the OKW (Armed Forces High Command) took place" -- that is the defendant Keitel. "After presentation of the various political aims in the proposed Reichskommissariats and presentation of personal requirements for the East, the chief of the OKW explained that a deferment (OK-stellung) would be too complicated in this case and that this matter could be carried out best by direct cancellation (Abkommandierung) by command of the Chief of the OKW. Generalfeldmarschall Keitel then issued an appropriate command which established the basis for the coming requirements. He named as deputy and liaison officer General Jodl and Major General Warlimont. The negotiations which then commenced relative in all questions of the Eastern Territory" -- relative to, I suppose it is-- "were carried on by the gentlemen of the OKW in collaboration with officials of my office.

"A conference took place with Admiral Canaris to the effect that under the given confidential circumstances my office could in no way deal with any representatives of the people of the East -

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European area. I asked him to do this insofar as the Military Intelligence required it, and then to name persons to me who could count as political personalities over and above the military intelligence in order to arrange for their eventual commitment later. Admiral Canaris said that naturally also my wish not to recognize any political groups among the emigrants would be considered by him and that he was planning to proceed in accordance with my indications.

"Later on I informed Generalfeldmarschall von Brauchitsch and Grossadmiral Raeder about the historical and political conceptions of the Eastern problem. In further conference we agreed to appoint a representative of my office to the Supreme Commander of the Army, respectively to the Chief Quartermaster and to the Army groups for questions relative to political configuration and requests of the OKW. In the meantime this has been done.

"Already at the outset there was a discussion with Minister of Economy (Reichswirtschaftsminister) Funk" -- the Defendant Funk-- "who appointed as his permanent deputy Ministerialdirektor Dr. Schlotterer. Almost daily conferences were then held with Dr. Schlotterer with reference to the war economic intentions of the Economic Operational Staff East. In this connection I had conferences with General Thomas, State Secretary Koerner, State Secretary Backe, Ministerial Director Riecke, General Schubert, and others.

"Far-reaching agreement was reached in the eastern questions as regards direct technical work now and in the future. A few problems regarding the relationship of the proposed Reich ministry toward the four-year plan are still open and will be subject, after submission, to the decision of the Fuehrer. In principle I declared that I in no way intended to found an economic department in my office, economics would rather be handled substantially and practically by the Reichsmarschall" -- that is the defendant Goering --" and the persons appointed by him. However, the two responsible department heads, namely Ministerial Director, Dr. Schlotterer, for industrial economies

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and Ministerial Director Riecke for food economies, would be placed in my office as permanent liaison men, to coordinate here political aims with the economic necessities in a department which would have to unite yet with other persons for such coordinating work, depending on later" -- that must be a mistranslation -- "depending on later and for work (political leadership of labor unions, construction, et cetera).

"After notification of the Reich Foreign Minister, the latter appointed Geheimrat Grosskopf as permanent liaison man to my office. For the requested representation in the political department of my office (headed by Reichsamtsleiter Dr. Seibbrandt) the foreign ministry released General Counsel Dr. Braeutigam, who is known to me for many years, speaks Russian, and worked for years in Russia. Negotiations which if necessary will be placed before the Fuehrer are uhder way with the foreign office regarding its wishes for the assignment of its representatives to the future Reich commissioners," or Kommissars.

"The Propaganda Ministry" -- that is Goebbels --

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appointed State Secretary Gutterer as permanent liaison man, and a complete agreement was reached to the effect that the decisions on all political and other essays, speeches, proclamations, et cetera, would be made in my office; a great number of substantial works for propaganda would be delivered and the papers prepared by the Propaganda Ministry would be modified here, if necessary. The whole practical employment of propaganda will undisputedly be subject to the Reich Ministry of Public Enlightenment and Propaganda. For the sake of closer cooperation the Propaganda Ministry assigns yet another person directly to my department, 'Enlightenment and Press', and in addition appoints a permanent press liaison man. All these activities have been going on for some time, and without attracting attention to my office in any way, this agreement on contents and terminology takes place continually every day.

"Thorough discussions took place with Reichsminister Ohnesorge concerning future transmission of communication and setting up of all technical necessities in future occupied territories; with Reichsminister Seldte on the supply of labor forces, with Reichsm inister Frick" -- that is the defendant Frick--" (State Secretary Stuckart) in detailed form on the assignment of numerous necessary officials for the Kommissariats. According to the present estimate there will be four Reich Kommissariats, as approved by the Fuehrer. I shall propose to the Fuehrer for political and other reasons to set up a suitable number of General Kommissariats (24), Main Kommissariats (about 80), and Regional Kommissariats (over 900). A General Kommissariat would correspond to a former General government; a Main Kommissariat to a Maingovernment.

"A Regional Kommissariat contains three or four Districts (Kreise). In view of the huge spaces that is the minimum number which appears necessary for a future civil government and/or administration. A portion of the officials has already been requested on the basis of the above-named command of the Chief of the OKW."

THE PRESIDENT: Mr. Alderman, I don't understand why it is necessary to read this document in full. You have already shown that there was a plan for dividing Russia up into a number of Kommissariats.

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MR. ALDERMAN: Yes, sir.

THE PRESIDENT: This is merely a detailed report on that.

MR. ALDERMAN: Quite true. I should like merely to point out two or three other individual defendants who are referred to in this document and as to whom the document shows that they were in immediate complicity with this whole scheme. The first of those, about three paragraphs further down, the Reich Youth Leadership. That is the Defendant Baldur von Schirach. Then of course Gruppenfuehrer SS Heydrich, about the next paragraph --

THE PRESIDENT: Well, he is not a defendant.

MR. ALDERMAN: No, sir. His organization is, however, if the Tribunal please, charged as a criminal organization.

In the next paragraph, the Defendant Ministerial Director Fritsche, to work under Goebbels.

Without a long discussion of further propaganda material, I might summarize the individual implication in this fashion. Those of the individual defendants now on trial which this report personally involves are Keitel, Jodl, Raeder, Funk, Goering, Ribbentrop, Frick, Schirach, and Fritsche. The organizations involved by this report include the following: OKW, OKH, OKM, Ministry of Economy, Reich Foreign Ministry, Propaganda Ministry Ministry of Labor, Ministry of the Interior, Ministry of Communications, Reich Physicians Leader, Ministry of Munitions and Armaments, Reich Youth Leadership, Reich Organizational Leader, German Labor Front, the SS, the SA, and the Reich Press Chief.

At a later stage in the trial and in other connections I should like to ask the Tribunal to consider that that document with which I have just been dealing be considered a part of the record to the extent that it invdves these individuals.

THE PRESIDENT: I think you can treat it as all being in evidence.

MR. ALDERMAN: At a later stage in the trial and in other connections evidence will be introduced concerning the manner in which all of this planning and preparation for the elimination of the Union of Soviet Socialist Republics as a political factor was actually carried out. The planned execution of intelligentsia and other Russian leaders was, for example,

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but a part of the actual operation of the program to destroy the Soviet Union politically and make impossible its early resurrection as a European Power.

Having thus elaborately prepared on every side for the invasion of the Soviet Union, the Nazi conspirators proceeded to carry out their plans, and on 22 June, 1941, hurled their armies across the borders of the U.S.S.R. In announcing this act of perfidy to the world, Hitler issued a proclamation on the day of the attack. The text of this statement has already been called to the Tribunal's attention by my British colleagues, and I should like merely to refer to it in passing here by quoting therefrom this one sentence.

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"I have therefore today decided to give the fate of Europe again into the hands of our soldiers".

This announcement told the world that the die had been cast -- the plans darkly conceived almost a full year before and secretly and continuously developed since then, had now been brought to fruition. These conspirators, having carefully and completely prepared this war of aggression now proceeded to initiate and wage it.

That brings us to the consideration of the motives for the attack. Before going into the positive reasons, I should like first to point out that not only was Germany bound by a solemn covenant not to attack the USSR, but throughout the entire period from August 1939 to the invasion in 1941, the Soviet Union was faithful to its agreements with Germany and displayed no aggressive intentions toward territories of the Reich. General Thomas, for example, points out in his draft of "Basic Facts for a History of the German War and Armaments Economy," which is our Document 2353 PS and which I put in evidence earlier as Exhibit USA No35, that insofar as the German-Soviet trade agreement of 11 August 1939, was concerned, the Soviets carried out their deliveries thereunder up to the very end.

Thomas points out that deliveries by the Soviets were usually made quickly and well, and since the food and raw materials being thus delivered was considered essential to the German economy, efforts were made to keep up their side too. However, as preparations for the campaign proceeded, the Nazis cared less about complying with their obligations under that agreement. At page 315 of his book, Thomas says, and I read from page 9 of the English translation:

"Later on the urgency of the Russian deliveries diminished, as preparations for the campaign in the East were already under way."

By that, clearly he speaks of German deliveries to Russia, not as to what the Russians delivered.

"The Russians carried out their deliveries as planned, right up to the start of the attack; even during the last few days, transports of India-rubber from the Far East were completed by Express transit trains."

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Again at page 404, this author brings this point out even more forcefully when he states, and I shall read the first paragraph on page 14 of the English translation:

"In addition to the Italian negotiations, until June, 1941, the negotiations with Russia were accorded a great deal of attention. The Fuehrer issued the directive that, in order to camouflage -

THE PRESIDENT: Are you reading now from a document?

MR. ALDERMAN: Yes.

THE PRESIDENT: Where is that?

MR. ALDERMAN: It is page 14 of the English translation of these notes.

THE PRESIDENT: Thank you.

MR. ALDERMAN: "The Fuehrer issued the directive that, in order to camouflage German troop movements, the orders Russia has placed in Germany must be filled as promptly as possible. Since the Russians only made grain deliveries, when the Germans delivered orders placed by the Russians, and since in the case of individual firms these deliveries to Russia made it impossible for them to fill orders for the German armed forces, it was necessary for the Wi Rü office to enter into numerous individual negotiations with German firms in order to coordinate Russian orders with those of the German from the standpoint of priority. In accordance with the wishes of the Foreign Office, German industry was instructed to accept all Russian orders, even if it were impossible to fill them, within the limits of the time set for manufacture and delivery. Since in May especially, large deliveries had to be made to the Navy, the firms were instructed to allow the equipment to go through the Russian Acceptance Commission, then, however, to make such a detour during its transportation as to make it impossible for it to be delivered over the frontier prior to the beginning of the German attack."

Not only was the Soviet Union faithful to the treaty obligations with Germany but the evidence shows that she had no aggressive intentions toward German territory. Our Document No. C-170, which is in evidence

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as Exhibit USA No.136, is, as I have previously stated, a file on Russo-German relations found in the files of the Naval High Command covering the entire period from the treaty to the attack. The entries in this file demonstrate conclusively the point I have just stated. It will, I think, be sufficient to read to the Tribunal a few entries which include reports from the German ambassador in Moscow as late as June 1941. I shall read the first entry 165 on page 21 of the English translation. That is 4 June.

"Outwardly, no change in the relationship Germany-Russia, Russian deliveries continue to full satisfaction. Russian government is endeavouring to do everything to prevent a conflict with Germany".

In entry 167, on page 22 of the English translation, it says:

"6 June. Ambassador in Moscow reports ...Russia will only fight if attacked by Germany. Situation is considered in Moscow much more serious than up to now. All military preparations have been made quietely - as far as can be recognized only defensive. Russian policy still strives as before to produce the best possible relationship to Germany as good."

The next one is entry 169, also on page 22, the date, 7 June.

"From the report of the Ambassador in Moscow...All observations show that Stalin and Molotov, who alone are responsible for Russian foreign policy, are doing everything to avoid a conflict with Germany. The entire behavior of the Government, as well as the attitude of the press, which reports all events concerning Germany in a factual, indisputable manner, support this view. The loyal fulfillment of the economic treaty with Germany proves the same thing". Now, that is the German ambassador talking to you.

The reasons, therefore, which led to the attack on the Soviet Union could not have been self-denfense or treaty breaches. In truth, no doubt as has been necessarily implied from the materials presented on

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planning and preparation, more than one motive entered into the decision of the Nazi conspirators to launch their aggression against the USSR. All of them, however, appear to blend into one grand motif of Nazi policy. The pattern into which these varied reasons impelling the decision to attack may be said to fall, is the traditional Nazi ambition for expansion to the East at the expense of the USSR. This Nazi version of an earlier imperial imperative "Drang Nach Osten" or the drive to the East had been a cardinal principle of the Nazi Party almost since its birth and rested on the twin bases of political strategy and economic aggrandizement. Politically such action meant elimination of the powerful country to the East, which might constitute a threat to German ambitions, and acquisitions of Lebensraum, while on the economic side magnificent opportunities for the plunder of vast quantities of food, raw materials, and other supplies, going far beyond any legitimate exploitation under the Geneva Convention principles for military purposes. Undoubtedly the demands of the German War economy for food and raw material served to revive the attractiveness of the economic side of this theory while the difficulties Germany was experiencing in defeating England reaffirmed for the Nazi conspirators the temporarily forgotten Nazi political imperative of eliminating, as a political factor, their one formidable opponent on the continent.

As early as 1923 Hitler outlined this theory in some detail in Mein Kampf, where he stated: I quote from page 641 of the Houghton Mifflin, English edition, as follows:

"There are two reasons which induce me to submit to a special examination the relation of Germany to Russia:

"1. Here perhaps we are dealing with the most decisive concern of all German foreign affairs; and

"2. This question is also the touchstone for the political capacity of the young National Socialist movements to think clearly and to act correctly."

Again at page 654 of the same edition:

"And so we National Socialists consciously draw a line beneath the foreign policy tendency of our pre-war period. We take up where we broke off six hundred years ago. We stop the endless German movement to the south and west,

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and turn our gaze toward the land in the east. At long last we break off the colonial and commercial policy of the pre-war period and shift to the soil policy of the future.

"If we speak of soil in Europe today, we can primarily have in mind only Russia and her vassal border states."

The political poison of this economy or purpose is clearly reflected in the stated purposes of the organization which the defendant Rosenberg set up to administer the occupied Eastern Territories. I have already discussed this material and need repeat it now. In a speech, however, which he delivered, two days before the attack, to the people most interested in the problem of the East, Rosenberg restated in his usual somewhat mystic fashion the political basis for the campaign and its interrelationship with the economic goal. I should like to read a short extract from that speech, which is Document number 1058-PS and which I now offer in evidence as Exhibit USA No. 147. The part I read is from page 9 of the German text:

"The job of feeding the German people stands, this year, without a doubt, at the top of the list of Germany's claims on the East; and here the southern territories and the northern caucasus will have to serve as a balance for the feeding of the German people. We see absolutely no reason for any obligation on our part to feed also the Russian people with the products of that surplus territory. We know that this is a harsh necessity, bare of any feelings. A very extensive evacuation will be necessary, without any doubt, and it is sure that the future will hold very hard years in store for the Russians. A later decision will have to determine to which extent industries can still be maintained there (Wagon Factories, etc.). The consideration and execution of this policy in the Russian area proper is for the German Reich and its future a tremendous and by no means negative task, as might appear, if one takes only the harsh necessity of the evacuation into consideration. The conversion of Russian dynamics towards the East is a task which requires the strongest characters. Perhaps, this decision will also be approved by a coming Russia later, not in 30 but maybe in a 100 years."

As I have indicated, the failure of the Nazi conspirators to defeat Britain had served to further strengthen them in their belief of the political

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necessity of eliminating the Soviet Union as a European factor before Germany could completely achieve her role as the master of Europe.

The economic motive for the aggression was to be brought out clearly in our discussion of the organization set-up under Goering and General Thomas to carry out the economic exploitation of the territory they occupied. The purely materialistic basis for the attack was unmistakable and if any doubt existed that at least one of the main purposes of the invasion was to steal the food and raw material needed for the Nazi war machine regardless of the horrible consequences such robbery would entail, that doubt is dispelled by a memorandum which bears our No. 2718-PS and which I introduced earlier during my opening statement as Exhibit USA No. 32, showing clear and conscious recognition that these Nazi plans would no doubt result in starving to death millions of people by robbing them of their food.

Along a similar line, on 20 June 1941, General Thomas wrote a memorandum in which he stated that General Keitel had confirmed to him Hitler's present conception of the German Economic policy concerning raw material. This policy expressed the almost unbelievable heartless theory that less manpower would be used in the conquest of sources of raw materials than would be necessary to produce syrthetics in lieu of such raw materials. This is our Document No. 1456PS, and I offer it in evidence as Exhibit USA 148. I should like to read the first two paragraphs.

THE PRESIDENT: Perhaps we better do that after the adjournment.

(Whereupon, at 1255 hours the hearing of the Tribunal recessed to reconvene at 1400 hours.)

File copy

Official transcript of the International Military Tribunal, in the matter of: The United States of America, the French Republic, the United Kingdom of Great Britain and Northern Ireland, and the Union of Soviet Socialist Republics, against Hermann Wilhelm Goering, et al, Defendants, sitting at Nürnberg, Germany, on 10 December 1945, 1400 to 1700, Lord Justice Lawrence, presiding.

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THE PRESIDENT: I understand that the defendant Kaltenbrunner is now in Court. Will you stand up, please. (Whereupon the defendant Kaltenbrunner stands up in the Defendants' box). In accordance with Article Twenty-four of the Charter, you must now plead either guilty or not guilty.

THE DEFENDANT KALTENBRUNNER: I am not believe that I have made myself guilty. I don't believe that I have made myself guilty.

THE PRESIDENT: That is all of you. Mr. Alderman.

MR. ALDERMAN: May it please this Tribunal. I had just put into evidence document 1456-PS as exhibit USA-148. I now read from this document on page one:

> "The following is the new conception of the Fuehrer, which Minister Todt has explained to me and which has been confirmed later on by Field Marshal Keitel: Paragraph 1. The course of the war shows that we went too far in our autarkical endeavors. It is impossible, to try and manufacture everything we lack, by synthetic procedures, or other measures. For instance, it is impossible, to develop our motor fuel economy to a point where we can entirely depend on it. All these autarkical endeavors ask for a tremendous amount of manpower, and it is simply impossible to provide it. One has to choose another way. What one does not have, but needs, one must conquer. The commitment of men which is necessary one single time, will not be as great as the one that is currently needed for the running of the synthetic factories in question. The aim must also be to secure all territories, which are of special

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"interest to us for the war economy, by conquering them.

"At the time the 4-year-plan was established, I issued the statement where I made it clear that a completely autarkical economy is impossible for us, because the need of men will be too great. Nevertheless, my solution was always to provide the necessary reserves for missing stocks respectively to secure the delivery in wartime through economic alliances."

On this macabre note I come to the end of the story of this aggression. We have seen the Nazi conspirators as they planned, prepared, and finally initiated their wanton attack upon the Soviet Union. Others will carry on the tale and describe the horrible manner in which they waged this war of aggression, and the countless crimes they committed in its wake. When I consider the solemn pledge of non-aggression; the base and sinister motives involved; the months of secret planning and preparation; and the unbelievable suffering intentionally and deliberately wrought -- when I consider all of this I feel fully justified in saying that never before - and God help us never again - in the history of relations between Sovereign nations has a blacker chapter been written than the one which tells of the Nazi conspirators' unprovoked invasion of the territory of the Soviet Union. For those responsible, and they are here before you, the defendants in this case - it might be just to let the punishment fit the crime.

I turn now to the final phase of the detailed presentation of the aggressive war case, German collaboration with Italy and Japan, and aggressive war against the United States. The relevant portions of the indictment are set forth in subsection 7 under Section IV (F) of Count 1, appearing at pages nine and ten of the printed English text of the indictment. The materials relating to this unholy alliance of

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the three fascist powers, and to the aggressive war against the United States have been fathered together in a document book, marked with the letter "Q", which I now submit to the Tribunal.

Before moving to the subject matter of this tripartite collaboration, I should like to invite the attention of the Tribunal to the significance of this phase. In the course of the joint presentation by the British and American prosecution in the past several days, we have seen the swastika carried forward by force of arms from a tightly controlled and remilitarized Germany to the four corners of Europe. The elements of a conspiracy I am now about to discuss project the Nazi plan upon a universal screen, involving the "Older World" of Asia, and the "New World" of the United States of America. As a result, the wars of aggression that were planned in Berlin, and launched across the frontiers of Poland ended some six years later, almost to the day, in surrender ceremonies upon a United States battleship riding at anchor in the Bay of Tokyo.

The first formal alliance between Hitler's Germany and the Japanese Government was the Anti-Comintern Pact signed in Berlin on 25 November 1936. This agreement, on its face, was directed against the activities of the Communist International. It was subsequently adhered to by Italy on 6 November 1937.

I ask the Tribunal to take judicial notice of these official state documents, in accordance with Article twenty-one of the Charter. The German text of these treaties OO the original German-Japanese Anti-Comintern Pact, and the subsequent Protocol of Adherence by Italy -- are to be found in volumes four and five of the Dokumente der deutschen Politik, respectively. The English translation of the German-Japanese Anti-Comintern Pact of 25 November 1936 is contained in our Document No. 2508-PS; the English translation of the Protocol of Adherence by Italy of 6 November 1937, is contained in our Document No. 2506-PS. Both of these documents are included in the Document Books which have just been handed up to the Tribunal.

It is an interesting fact, especially in light of the evidence I

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shall submit regarding the defendant Ribbentrop's active participation in collaboration with the Japanese, that Ribbentrop signed the Anti-Comintern Pact for Germany, at Berlin, even though at that time, November 1936, Ribbentrop was not the German Foreign Minister, but simply Hitler's Special Ambassador Plenipotentiary.

On 27 September 1940, some four years after the Anti-Comintern Pact was signed, and one year after the initiation of war in Europe, the German, Italian and Japanese Governments signed another pact at Berlin - a ten year military-economic alliance. Again I note that the defendant Ribbentrop signed for Germany, this time in his capacity as Foreign Minister. The official German text of this pact, as well as the Japanese and Italian texts, together with an English translation, is contained in our Document No. 2643-PS, which has been certified by the signature and seal of the United States Secretary of State. I now offer document No. 2643-PS as Exhibit No. USA-149.

The Tripartite Pact pledged Germany, Italy and Japan to support of, and collaboration with each other in the establishment of a "new order" in Europe and East Asia. I should like to read into the record parts of this far-reaching agreement.

> "The Governments of Germany, Italy and Japan consider it as a condition precedent of a lasting peace, that each nation of the world be given its own proper place. They have therefore decided to stand together and to cooperate with one another in their efforts in Greater East Asia, and in the regions of Europe, wherein it is their prime purpose to establish and maintain a new order of things calculated to promote the prosperity and welfare of the peoples there. Furthermore, it is the desire of the three Governments to extend this cooperation to such nations in other parts of

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"the world as are inclined to give to their endeavors a direction similar to their own, in order that their aspirations towards world peace as the ultimate goal may thus be realized. Accordingly, the Governments of Germany, Italy and Japan have agreed as follows:

Article 1: Japan recognizes and respects the leadership of Germany and Italy in the establishment of a new order in Europe.

Article 2: Germany and Italy recognize and respect the leadership of Japan in the establishment of a new order in Greater East Asia.

Article 3: Germany, Italy and Japan agree to cooperate in their efforts on the aforesaid basis. They further undertake to assist one another with all political, economic and military means, if one of the three Contracting Parties is attacked by a Power at present not involved in the European war, or in the Chinese-Japanese conflict."

I now skip to the first sentence of Article 6.

"The present Pact shall come into force immediately upon signature and shall remain in force for ten years from the date of its coming into force."

The Tripartite Pact of 27 September 1940 thus was a bold announcement to the world that the fascist leaders of Germany, Japan and Italy had cemented a full military alliance to achieve world domination, and to establish the "new order" presaged by the Japanese invasion of Manchuria in 1931, the Italian conquest of Ethiopia in 1935, and the Nazi overflow into Austria early in 1938.

I should like to read, in this connection, a statement by Cordell Hull, Secretary of State of the United States at the time of the signing of the Tripartite Pact. This statement appears in the official U. S. Publication, "Peace and War, U. S. Foreign Policy, 1931-1941" which has already been offered as Exhibit No. U.S.A.-122. Mr. Hull's statement is No. 184 therein. It is also our Document No. 2944-PS, and both the English text and a German translation thereof are included in the document books. I now quote statement by the Secretary of State, September 27, 1940:

"The reported agreement of alliance does not, in the view of the Government of the United States, substantially alter a situation

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which has existed for several years. Announcement of the alliance merely makes clear to all a relationship which has long existed in effect, and to which this Government has repeatedly called attention. That such an agreement has been in process of conclusion has been well known for some time, and the fact has been fully taken into account by the Government of United States in determining -- in the determining of this country's policies."

I shall not --- that is the end of the quotation. I shall not attempt here to trace the relationships and negotiations leading up to the Tripartite Pact of 27 November 1940. I shall note, however, one example of the type of German-Japanese relationship existing before the formalization of the Tripartite Pact. This is the record of conversation of 31 January 1939 between Himmler and General Oshima, Japanese Ambassador at Berlin, which was referred to by the U.S. Chief of Counsel in his opening address. This document, which is signed by Himmler in crayon, is our Document No. 2195-PS. I offer it in evidence as Exhibit No. USA-150.

I now quote the file memorandum:

"Today I visited General Oshima. The conversation ranged over the following subjects:

"1) The Fuehrer speech, which pleased him very much, especially because it had been spiritually warranted in all its features.

"2) We discussed conclusion of a treaty to consolidate the triangle Germany/Italy/Japan into an even firmer mold. He also told me that, together with German counter-espionage (abwehr), he was undertaking long-range projects aimed at the disintegration of Russia and emanating from the Caucasus and the Ukraine. However, this organization was to become effective only in case of war.

"3) Furthermore, he had succeeded up to now to send 10 Russians with bombs across the Caucasian frontier. These Russians had the mission to kill Stalin. A number of additional Russians, whom he had also sent across, had been shot at the frontier."

Whatever the beginning and course of development of the fascist Triplice, the Nazi conspirators, once their military and economic alliance with Japan

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had been formalized, exhorted the Japanese to aggression against those nations with whom they were at war, and those with whom they contemplated war. In this the Nazi conspirators pursued a course strikingly parallel to that followed in their relationship with the other members of the European Axis. On 10 June 1940, in fulfillment of her alliance with Germany, Italy had carried out her "Stab in the back" by declaring war against France and Great Britain. The nazi conspirators set about to induce similar action by Japan on the other side of the world.

As I shall show, the nations against whom the German-Japanese collaboration was aimed, at various times, were the British Commonwealth of Nations, the Union of Soviet Socialist Republics, and the United States of America. I shall deal with each of these nations in the order named.

At least as early as 23 February 1941 - on the basis of documents available to us -- the Nazi conspirators undertook to exploit their alliance with Japan by exhortations to commit aggression against the British Commonwealth. Again the figure of the defendant Ribbentrop appears. On that date, 23 February 1941, he held a conference with General Oshima, the Japanese Ambassador to Berlin, at which he urged that the Japanese open hostilities against the British in the Far East as soon as possible.

The report of that conference, our Document 1834-PS, has already been offered in connection with the presentation of the case on aggression against the Soviet Union as Exhibit No. USA-129. A part of it has already been read into the record and I now intend to read another portion. I shall again come back to this document when dealing with the German-Japanese collaboration as regards the United States.

As can be seen on the cover page of the English translation, Ribbentrop, on 2 March, sent copies of an extract of the record of this conference to his various ambassadors and ministers for their strict confidential and purely personal information, with the further note that -- and I quote: "These statements are of fundamental significance for orientation with the general political situation facing Germany in early spring 1941."

I shall now quote from the top of page 2 of the English translation of 1834-PS, to the end of the first paragraph on that page, and then skip to the

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last three sentences of the second paragraph:

"Extract from the Report of the Conference of the Reichs Foreign Minister with Ambassador Oshima in Fuschl on 13 February 1941.

"After particularly cordial mutual greetings, the RAM (Reich Foreign Minister) declared that Ambassador Oshima had been proved right in the policy he had pursued regarding Germany in the face of the many doubters in Japan. By Germany's victory in the west these policies had been fully vindicated. He" -- that is, Ribbentrop --"regretted that the alliance between Germany and Japan, for which he had been working with the Ambassador for many years already, had come into being only after various detours, but public opinion in Japan had not been ripe for it earlier. The main thing was, however, that they are together now."

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Then, skipping:

"Now the German-Japanese alliance has been concluded. Ambassador Oshima is the man who gets credit for it from the Japanese side. After conclusion of the alliance the question of its further development now stands i the foreground. How is the situation in this respect?"

Ribbentrop, thereafter in the conference, proceeded to shape the argument for Japanese intervention against the British. First outlining the intended air and U-Boat warfare against England, he said -- and I now quote the last two sentences in paragraph 4 on page 2 of the English translation:

"Thereby England's situation would take catastrophic shape overnight. The landing in England is prepared; its execution, however, depends on various factors, above all on weather conditions."

And then, skipping and picking up at the first full paragraph on page 3 of the English translation, I quote Defendant Ribbentrop again:

"The Fuehrer would beat England wherever he would encounter her. Besides, our strength is not only equal, but superior to a combined English -- American air force at any time. The number of pilots at our disposal was unlimited. The same was true for our airplane production capacity. As far as quality is concerned ours was always superior to the English, (to say nothing about the American) and we were on the way even to enlarge this lead. On order of the Fuehrer the anti-aircraft defense too would be greatly reinforced. Since the army had been supplied far beyond its requirements, and enormous reserves had been piled up (the ammunitions plants have been slowed down because of the immense stock of material), production would now be concentrated on submarines, airplanes and anti-aircraft guns.

"Every eventuality had been provided for; the war has been won today militarily, economically and politically. We had the desire to end the war quickly and to force England to sue for peace soon. The Fuehrer was vigorous and healthy, fully convinced of victory and determined to bring the war to a quick and victorious end. To this end the cooperation with Japan was of importance. However, Japan, in its own interest, should come in as soon as possible. This would destroy England's key position in the Far East. Japar on the other hand, would thus secure its position in the Far East, a position

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which it could acquire only through war. There were three reasons for quick action:

"1) Intervention by Japan would mean a decisive blow against the center of the British Empire (threat to India, cruiser-warfare, etc.). The effect upon the morale of the British people would be very serious and this would contribute toward a quick ending of the war.

"2) A surprising intervention by Japan was bound to keep America out of the war. America, which at present is not armed as yet and would hesitate greatly to expose her Navy to any risks West of Hawaii, could do this even less so in such a case. If Japan would otherwise respect the American interests, there would not even be the possibility for Roosevelt to use the argument of lost prestige to make war plausible to the Americans. It was very unlikely that America would declare war if it then would have to stand by helplessly while Japan takes the Philippines without America being able to do anything about it.

"3) In view of the coming new world order it seems to be in the interest of Japan also to secure for herself already during the war the position she wants to hold in the Far East at the time of a peace treaty. Ambassador Oshima agreed with me entirely and said that he would do everything to carry through this policy."

I should like to note at this point the subtlety of Ribbentrop's argument. First he told the Japanese Ambassador that Germany had already practically won the war by herself. Nevertheless, he suggested that the war could be successfully terminated more quickly with Japan's aid and that the moment was propitious for Japan's entry. Then, referring to the spoils of conquest, he indicated that Japan would be best advised to pick up by herself during the war the positions she wanted, implying that she would have to earn her share of the booty, which is reminiscent of that statement I read to you earlier from the Fuehrer, that those who wished to be in on the meal must take a part in the cooking.

Continuing Ribbentrop's argument, to show the real nature of the German-Japanese alliance, I shall now read the top two paragraphs on page 5 of the English translation of 1834-PS.

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"The Reich Foreign Minister continued by saying that it was Japan's friendship which had enabled Germany to arm after the Anti-Comintern Pact was concluded. On the other hand, Japan had been able to penetrate deeply into the English sphere of interest in China. Germany's victory on the continent has brought now, after the conclusion of the Three Power Pact, great advantages for Japan. France, as a power, was eliminated in the Far East (Indo-China). England too was considerably weakened, Japan had been able to close in steadily on Singapore. Thus, Germany had already contributed enormously to the shaping of the future fate of the two nations. Due to our geographical situation we should have to carry the main burden also in this case. If Germany should ever weaken Japan would find itself confronted by a world-coalition within a short time. We were all in the same boat. The fate of both nations was being determined now for centuries to come. The same was true for Italy. The interests of the three countries would never intersect. A defeat of Germany would also mean the end of the Japanese imperialistic idea.

"Ambassador Oshima definitely agreed with these statements and emphasized the fact that Japan was determined to keep its imperial position. The Reich Foreign Minister then discussed the great problems which would arise after the war for the parties of the Three Power Pact from the shaping of a new order in Europe and East Asia. The problems arising then would require a bold solution. Thereby no overcentralization should take place, but a solution should be found on a basis of parity, particularly in the economic realm. In regard to this the Reich Foreign Minister advanced the

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principle that a free exchange of trade should take place between the two spheres of interest on a liberal basis. The European-African hemisphere under the leadership of Germany and Italy, and the East-Asian sphere of interest under the leadership of Japan. As he conceived it, for example, Japan would conduct trade and make trade agreements directly with the independent states in the European hemisphere, as heretofore, while Germany and Italy would trade directly and make trade agreements with the independent countries within the Japanese orbit of power, such as China, Thailand, Indochina, etc. Furthermore, as between the two economic spheres, each should fundamentally grant the other preferences with regard to third parties. The Ambassador expressed agreement with this thought."

In the document I have just quoted from, we have seen the instigation to war by the Defendant Ribbentrop, the German Foreign Minister. I shall return to him again in this connection.

I now wish to show, however, the participation of the so-called military representatives in the encouragement and provocation of wars of aggression. I therefore offer in evidence our Document No. C-75, as Exhibit No. USA-151.

This document is a top secret order signed by the Defendant Keitel as Chief of the OKW, and entitled "Basic Order No.24 regarding Collaboration with Japan." It is dated 5 March 1941, about a week and a half after Ribbentrop's conference with Oshima that I have just discussed. It was distributed in 14 copies to the highest commands of the Army, Navy, and Air Force, as well as to the Foreign Office. We have turned up two copies of this order, identical except for handwritten notations presumably made by the recipients. C-75, the document I have introduced, is Copy No. 2 of the order distributed to the Naval War Staff of the Commander-in-Chief of the Navy, the OKM. We also have Copy No.4, designed for the Wehrmacht Fuehrungstab, the Operations Staff of the High Command of the Armed Forces. The head of this Operations Staff was the Defendant Jodl. Copy No.4 was found in the OKW files at Flensburg. It is our Document No.

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384-PS, referred to by the U.S. Chief of Counsel in his opening address. I shall not burden the Tribunal by introducing two identical copies of the same order.

Basic Order No.24 was the authoritative Nazi policy on collaboration with Japan. I shall therefore read it in its entirety, some two pages of English translation.

"The Fuehrer has issued the following order regarding collaboration with Japan:

"1. It must be the aim of the collaboration based on the Three Power Pact to induce Japan as soon as possible to take active measures in the Far East."

The underscoring is in the original document.

"Strong British forces will thereby be tied down, and the center of gravity of the interests of the United States of America will be diverted to the Pacific.

"The sooner it intervenes, the greater will be the prospects of success for Japan in view of the still undeveloped preparedness for war on the part of its adversaries. The 'Barbarossa' operation will create particularly favorable political and military prerequisites for this."

Then there is a marginal note, "Slightly exaggerated."

"2. To prepare the way for the collaboration" --

THE PRESIDENT (interposing): Do you have any idea when that marginal notation was put in?

MR. ALDERMAN: I assume that was written by the recipient of this copy of the order.

THE PRESIDENT: By whom?

MR. ALDERMAN: By the recipient of this particular copy of the order, which was the Naval War Staff.

"2. To prepare the way for the collaboration it is essential to strengthen the Japanese military potential with all means available.

For this purpose the High Commands of the branches of the Armed Forces will comply in a comprehensive and generous manner with Japanese desires for information regarding German war and combat

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experience and for assistance in military economics and in technical matters. Reciprocity is desirable but this factor should not stand in the way of negotiations. Priority should naturally be given to those Japanese requests which would have the most immediate application in waging war.

"In special cases the Fuehrer reserves the decisions to himself.

"3. The harmonizing of the operational plans of the two parties is the responsibility of the Navy High Command.

"This will be subject to the following guiding principles:

"a. The common aim of the conduct of war is to be stressed as forcing England to the ground quickly and thereby keeping the United States out of the war. Beyond this, Germany has no political, military, or economic interests in the Far East which would give occasion for any reservations with regard to Japanese intentions.

"b. The great successes achieved by Germany in mercantile warfare make it appear particularly suitable to employ strong Japanese forces for the same purpose. In this connection every opportunity to support German mercantile warfare must be exploited.

"c. The raw material situation of the pact powers demands that Japan should acquire possession of those territories which it needs for the continuation of the war, especially if the United States intervenes. Rubber shipments must be carried out even after the entry of Japan into the war, since they are of vital importance to Germany.

"d. The seizure of Singapore as the key British position in the Far East would mean a decisive success for the entire conduct of war of the Three Powers.

"In addition, attacks on other systems of bases of British naval power -- extending to those of American naval power only if the entry of the United States into the war cannot be prevented -- will result in weakening the enemy's

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system of power in that region and also, just like the attack on sea communications, in tying down substantial forces of all kinds (Australia).

"A date for the beginning of operational discussions cannot yet be fixed.

"4. In the military commissions to be formed in accordance with the Three Power Pact, only such questions are to be dealt with as equally concern the three participating powers. These will include primarily the problems of economic warfare.

"The working out of the details is the responsibility of the 'Main Commission' with the cooperation of the Armed Forces High Command.

"5. The Japanese must not be given any intimation of the Barbarossa operations."

It is signed by Keitel as Chief of the Armed Forces High Command.

If the Tribunal will glance at the distribution of this list, you will see that it went to the heads of all of the armed forces, Armed Forces High Command, Joint Operations Staff, Intelligence Division, and to the Chief of Foreign Affairs simultaneously for Foreign Office.

It appears from what I have just read that the Nazi's cardinal operational principle in their collaboration with Japan was, as early as March 1941, the inducement of Japan to aggression against Singapore and other British Far Eastern bases. I shall pass over, for the moment, the references to the United States in Basic Order No. 24 and take that point up later.

I now wish to refer to our Document No. C-152, which has already been introduced by the British prosecution as Exhibit No. G.B.-122. This document is the top secret record of a meeting on 18 March, 1941, about two weeks after the issuance of Basic Order No. 24, a meeting attended by Hitler, the Defendant Raeder, the Defendant Keitel and the Defendant Jodl. We are concerned only with paragraph 11 in this phase, where Raeder, then Commander in Chief of the Navy is speaking.

"Japan must take steps to seize Singapore as soon as possible, since the opportunity will never again be as favorable (whole English Fleet contained; unpreparedness of U.S.A. for war against Japan; inferiority of

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U.S. Fleet vis-a-vis the Japanese). Japan is indeed making preparations for this action, but according to all declarations made by Japanese officers she will only carry it out if Germany proceeds to land in England. Germany must, therefore, concentrate all her efforts on spurring Japan to act immediately. If Japan has Singapore, all other East Asiatic questions regarding the U.S.A. and England are thereby solved (Guam, Phillipines, Borneo, Dutch East Indies).

"Japan wishes, if possible, to avoid war against U.S.A. She can do so if she determinedly takes Singapore as soon as possible."

The fact clearly appears, from these minutes, that military staff conferences had already been held with the Japanese to discuss the activation of Japanese military support against the British and to urge their immediate attack on Singapore. I quote again the second sentence in paragraph 11 of our Document C-152.

"Japan is indeed making preparations for this action, but according to all declarations made by Japanese officers, she will carry it out if Germany proceeds to land in England."

Apparently the Nazis were subsequently able to persuade the Japanese to eliminate this condition precedent to their performance under the contract.

I now turn to further efforts by the Defendant Ribbentrop to induce the Japanese to aggression against the British Commonwealth. On the 29th of March, 1941, he met with the Japanese Foreign Minister, Matsuoka, who was then in Berlin. A Report of their conversations, found in the German Foreign Office Archives, is contained in our Document No. 1877-PS, which I now offer in evidence as Exhibit No. U.S.A. 152.

Relevant portions of this document have been translated into English. I shall now read from the top of page one of the English translation.

"The RAM (That is Ribbentrop) resumed the preceding conversation with Matsuoka about the latter's impending talks with the Russians in Moscow, where they had left off. He expressed the opinion, that it would probably be best, in view of the whole situation, not to carry the

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disucssions with the Russians too far. He did not know how the situation would develop. One thing, however, was certain, namely that Germany would strike immediately, should Russia ever attack Japan. He was ready to give Matsuoka this positive assurance, so that Japan could push forward to the south on Singapore, without fear of possible complications with Russia. The largest part of the German Army was anyway on the Eastern frontiers of the Reich, and fully prepared to open the attack at any time. He (the RAM) however, believed, that Russia would try to avoid developments leading to war. Should Germany, however, enter into a conflict with Russia, the USSR would be finished off within a few months. In this case, Japan had, of course, even less reason to be afraid than ever, if it wants to advance on Singapore. Consequently, it need not refrain from such an undertaking because of possible fears of Russia.

"He could not know, of course, just how things with Russia would develop. It was uncertain, whether or not Stalin would intensify his present unfriendly policy against Germany. He (the RAM) wanted to point out to Matsuoka in any case, that a conflict with Russia was anyhow within the realm of possibility. In any case, Matsuoka could not report to the Japanese Emperor upon his return, that a conflict between Russia and Germany was impossible. On the contrary, the situation was such, that such a conflict, even if it were not probable would have to be considered possible."

I now skip five pages of the German text and continue directly with the English translation.

"Next, the RAM turned again to the Singapore question. In view of the fears expressed by the Japanese of possible attacks by submarine based on the Phillippines, and of the intervention of the British Mediterranean and Home Fleets, he had again discussed the situation with General-Admiral Raeder. The latter had stated, that the British Navy during this year, would have its hands so full in the English home waters and in the Mediterranean, that it would not be able to send even a single ship to the Far East. General-Admiral Raeder had described the U.S. submarines as so bad, that Japan need not bother about them at all.

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"Matsuoka replied immediately, that the Japanese Navy had a very low estimate of the threat from the British Navy; it also held the view, that in case of a clash with the American Navy, it would be able to smash the latter without trouble. However, it was afraid, that the Americans would not take up the battle with their fleet; thus the conflict with the United States might perhaps be dragged out to five years. This possibility caused considerable worry in Japan.

"The RAM replied, that America could not do anything against Japan in the case of the capture of Singapore. Perhaps, for this reason alone, Roosevelt would think twice before deciding on active measures against Japan, on the other hand, there was the probability of losing the Phillippines to Japan; for the American President, of course, this would mean a considerable loss of prestige, and because of the inadequate rearmament he would have nothing to offset such a loss.

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"In this connection, Matsuoka pointed out, that he was doing everything to reassure the English about Singapore. He acted as if Japan had no intention at all regarding this key position of England in the East. Therefore, it might be possible, that his attitued toward the British would appear to be friendly in words and in acts. However, Germany should not be deceived by that. He assumed this attitude not only in order to reassure the British, but also in order to feel the pro-British --" -- I guess that is "fool" -- "in order to fool the pro-British and pro-American elements so long, until one day he would suddenly open the attack on Singapore.

"In this connection, Matsuoka stated, that his tactics were based on the certain assumption, that the sudden attack against Singapore would unite the entire Japanese nation with one blow. ('Nothing succeeds like success,' the RAM remarked). He followed here the example of the words of a famous Japanese statesman, addressed to the Japanese Navy at the outbreak of the Russo-Japanese war: 'You open fire, then the nation will be united.' The Japanese need to be shaken up to awaken. After all, as an Oriental, he believed in the fate, which would come, whether you wanted it or not."

I then skip again in the German text, and continue with what appears in the English translation:

"Matsuoka then introduced the subject of German assistance in the blow against Singapore, a subject, when had been broached to him frequently, and mentioned the proposal of a German written promise of assistance.

"The RAM replied, that he had already discussed these questions with Ambassador Oshima. He had asked him to procure maps of Singapore in order that the Fuehrer -- who probably must be considered the greatest expert on military questions at the present time -- could advise Japan on the best method of attack against Singapore. German experts on aerial warfare, too, would be at her disposal; they could draw up a report, based on their European experiences, for the Japanese on the use of dive-bombers from airfields in the vicinity against the British Fleet in Singapore. Thus, the British Fleet would be forced to disappear from Singaport immediately.

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"Matsuoka remarked, that Japan was less concerned with the British Fleet, than with the capture of the fortifications.

"The RAM replied, that here too, the Fuehrer had developed new methods for the German attacks on strongly fortified positions, such as the Maginot Line and Fort Eben Emael, which he could make available to the Japanese.

"Matsuoka replied in this connection, that some of the younger, expert Japanese Naval officers, who were close friends of his, were of the opinion that the Japanese naval forces would need three months until they could capture Singapore. As a cautious Foreign Minister, he doubled this estimat He believed, he could stave off any danger which threatened from America, for six months. If, however, the capture of Singapore required still more time and if the operations would perhaps even drag out for a year, the situation with America would become extremely critical and he did not know as yet, how to meet it.

"If at all avoidable, he would not touch the Netherland East Indies, since he was afraid that in case of a Japanese attack on this area, the oil fields would be set afire. They could be brought into operation again only after one or two years.

"The RAM added, that Japan would gain decisive influence over the Netherland East Indier simultaneously with the capture of Singapore."

On the 5th of April, about a week after the conference from whose minutes I have just quoted, Ribbentrop met again with Matsuoka and again pushed the Japanese another step along the road to aggressive war. The notes of this conference, which were also found in the German Foreign Offi Archives, are contained in our Document No. 1882-PS, which I now offer as Exhibit No. USA 153. I shall read a few brief extracts from these notes, starting with the 3rd Paragraph on Pane 1 of the English translation.

"In answer to a remark by Matsuoka, that Japan was now awakening and, according to the Japanese temperament, would take action quickly after the previous lengthy deliberation, the Reich Foreign Minister replied that it was necessary, of course, to accept a certain risk in this connection, jus as the Fuehrer had done so successfully with the occupation of the Rhinela

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with the proclamation of sovereignty of armament, and with the resignation from the League of Nations."

I now skip several pages of the German text and continue on with the English translation.

"The Reich Foreign Minister replied that the new German Reich would actually be built up on the basis of the anvient traditions of the Holy Roman Empire of the German Nation, which in its time was the only dominant power on the European Continent.

"In conclusion the Reich Minister once again summarized the points he wanted Matsuoka to take back to Japan with him from his trips:

"1) Germany had already won the war. With the end of this year the world would realize this. Even England would have to concede it, if it had not collapsed before then, and America would also have to resign herself to this fact.

"2) There were no conflicting interests between Japan and Germany. The future of both countries could be regulated for the long run on the basis that Japan should predominate in the Far East, Italy and Germany in Europe and Africa.

"3) Whatever might happen, Germany would win the war. But it would hasten victory if Japan would enter the war. Such an entry into the war was undoubtedly more in the intere of Japan than in that of Germany, for it offered a unique opportunity which would hardly ever return, for the fulfilment of the national objectives of Japan, a chance which would make it possible for her to play a really leading role in East Asia."

Here again, in the portion ust quoted, we see Ribbentrop prusuing the same tack I have previously noted. Germany has already won the war for all practical purposes. Japan's entry will hasten the inevitable end. But Japan had better get the positions she wants during the war.

I also invite the Tribunal's attention to Ribbentrop's assurances, expressed in the quotation I read from 1877-PS previously, that Japan

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likewise had nothing to fear from the Soviet Union, if Japan entered the conflict. The references to the weakness of the United States scattered throughout the quotations I have read were also an ingredient in this brew which was being so carefully prepared and brought to a boil.

I should like to introduce one more document on the part of the case dealing particularly with exhortation of the Japanese to aggression against the British Commonwealth. This is our Document No. 1538-PS, which I now offer as Exhibit U.S.A.154. This document is a top secret report, dated 24 May, 1941, from the German Military Attache in Tokyo, to the Intelligence Division of the OKW. I wish merely to call attention, at this point, to the last sentence in the Paragraph numbered 1, wherein it is stated:

"The preparations for attack on Singapore and Manila stand".

I shall return to this Document again, later. I point out here, however, the fact which appears from the sentence I have just read, that the German military were keeping in close touch with the Japanese Operational Plans against Singapore, which the Nazi conspirators had forstered.

Next, exhortations to Japanese aggression against the U.S.S.R.

I invite the Tribunal's attention at this point, to the language of th

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Indictment on Page 10 of the English edition. I quote, beginning with the eighth line from the top of the page: "The Nazi conspirators conceived that Japanese aggression would weaken and handicap those nations with whom they were at war and those with whom they contemplated war. Accordingly, the Nazi conspirators exhorted Japan to seek a 'new order of things.'"

The evidence I have just adduced showed the Nazi exhortations with particular reference to the British Commonwealth of Nations. We now turn to their efforts to induce the Japanese to commit a "stab in the back" on the Union of Soviet Socialist Republics. Here again, the Defendant Ribbentrop appears as a central figure.

For some months prior to the issuance of Basic Order No. 24, regarding collaboration with Japan, the Nazi conspirators, as I have shown, had been preparing "Fall Barbarossa", the plan for the attack on the U.S.S.R. Basic Order No. 24 decreed, however, that the Japanese "must not be given any intimation of the Barbarossa operation."

In his conference with the Japanese Foreign Minister Matsuoka, on 29 March, 1941, almost three weeks after the issuance of Basic Order No. 24, Ribbentrop nevertheless hinted at things to come. The report of this conference, contained in 1877-PS, has already been introduced as Exhibit No. U.S.A. 152 and read into the record. I wish to invite the Tribunal's attention again to the first two paragraphs of the English translation of 1877-PS, where Ribbentrop assured Matsuoka that the largest part of the German Army was on the Eastern frontiers of the Reich, fully prepared to open the attack at any time. Ribbentrop then added that, although he believed that the U.S.S.R. would try to avoid developments leading to war, nevertheless a conflict with the Soviet Union, even if not probable, would have to be considered possible.

Whatever conclusions the Japanese Ambassador drew from these remarks in April of 1941, can only be conjectured. Once the Nazis had unleashed their aggression against the U.S.S.R. in June of 1941, the tenor of Ribbentrop's remarks left no room for doubt. On 10 July, 1941, Ribbentrop

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dispatched a code telegram to Ott, the German Ambassador in Tokyo. The telegram is our Document 2896-PS, which I now introduce as Exhibit No. U.S.A. 155. I quote from numbered Paragraph 4 of that telegram, which is the first paragraph of the English translation:

"Please take this opportunity to thank the Japanese Ambassador in Moscow for conveying the cable report. It would be convenient if we could keep on receiving news from Russia this way. In summing up, I would like to say: I have now, as in the past, full confidence in the Japanese Policy, and in the Japanese Foreign Minister, first of all because the present Japanese Government would really act inexcusably toward the future of its nation if it would not take this unique opportunity to solve the Russian problem, as well as to secure for all time its expansion to the South and settle the Chinese matter. Since Russia, as reported by the Japanese Ambassador in Moscow, is in effect close to collapse, a report which coincides with our own observations as far as we are able to judge at the present war situation, it is simply impossible that Japan does not solve the matter of Vladivostok and the Siberian area as soon as her military preparations are completed."

Skipping now to the middle of the second paragraph on page 1 of the English translation, the sentence beginning "However"--

"However, I ask you to employ all available means in further insisting upon Japan's entry into the war against Russia at the soonest possible date, as I have mentioned already in my note to Matsuoka. The sooner this entry is effected, the better it is. The natural objective still remains that we and Japan join hands on the Trans-Siberian railroad, before winter starts. After the collapse of Russia. however, the position of the Three Power Pact States in the world will be so gigantic, that the question of England's collapse or the total destruction of the English islands, respectively, will only be a matter of time. An America totally isolated from the rest of the world would then be faced with our taking possession of the remaining positions of the British Empire which are important for the Three Power Pact countries. I have the unshakable

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conviction that a carrying through of the new order as desired by us will be a matter of course, and there would be no insurmountable difficulties if the countries of the Three Power Pact stand close together and encounter every action of the Americans with the same weapons. I ask you to report in the near future as often as possible and in detail on the political situation there."

We have Ott's reply to this telegram, dated 13 July, 1941. This is our document number 2897-PS, which I offer in evidence as Exhibit No. USA 156. After reading the heading, I shall skip to the last paragraph on page 3 of the German text, which is the paragraph appearing in the English translation.

"Telegram; Secret Cipher System." Sent 14 July from Tokyo; arrived 14 July, 1941. "As fast as possible."

"I am trying with all means to work toward Japan's entry into the war against Russia as soon as possible. Especially using arguments of personal message of Foreign Minister and telegram cited above, to convince Matsuoka personally, as well as the Foreign Office, military elements, nationalists and friendly business men. I believe that, according to military preparations, Japanese participation will soon take place. The greatest obstacles against which one has to fight thereby is the disunity among activist groups which, without unified command, follows various aims and only slowly adjusts itself to the changed situation."

On subsequent occasions Ribbentrop repeated his exhortations to induce the Japanese to aggression against the USSR. I shall present three documents covering July of 1942 and March and April of 1943. The first is our document 2911-PS, which contains notes of a discussion.

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between Ribbentrop and Oshima, Japanese Ambassador to Berlin, on 9 July 1942.

As a matter of background, I note that at this time German armies were sweeping forward in the USSR, and the fall of Savastopol had just been announced.

I now offer our document 2911-PS as Exhibit USA-157, and I quote the relevant extracts appearing in the English translation thereof:

"He, the Foreign Minister, asked to see the Ambassador at this time when the situation was as described, because now a question of fateful importance had arisen concerning the joint conduct of the war. If Japan felt itself sufficiently strong militarily, the moment for Japan to attack Russia was probably now. He thought it possible that if Japan attacked Russia at this time it would lead to her -- Russia's --final moral collapse; at least, it would hasten the collapse of her present system. In any case, never again would Japan have such an opportunity as existed at the present to eliminate once and for all the Russian colossus in Eastern Asia.

"He had discussed this question with the Fuehrer, and the Fuehrer was of the same opinion, but he wanted to emphasize one point right away: Japan should attack Russia only if she felt sufficiently strong for such an undertaking. Under no circumstances should Japanese operations against Russia be allowed to bog down at the half-way mark, and we do not want to urge Japan into an action that is not mutually profitable."

THE PRESIDENT: We will adjourn now, for ten minutes.

(Whereupon at 1540 hours a recess was taken).

MR. ALDERMAN: May it please the Tribunal, I now offer in evidence our Document Number 2954-PS as Exhibit USA 158. This is a record of a conference between Ribbentrop and Ambassador Oshima on 6 March 1939.

I note again for background that the strategic military situation in the broad expanses of the USSR had changed somewhat.

In the previous month, February 1943, the Soviet armies had completely defeated the German forces at Stalingrad and inflicted very severe losses. Further north and west their winter offensive had

removed large areas from the hands of the invader. Combined United States and British forces had already landed in North Africa.

You will note as I read that the tone of Ribbentrop's argument at this time reflects the changed military situation. The familiar refrain of "So sorry, please," likewise appears to have crept in.

I note in this regard that the month of February 1943 had also seen the end of organized Japanese resistance on the Island of Guadalcanal.

I now quote the relevant extracts from the minutes of the discussion between Ribbentrop and Oshima on 6 March 1943, which appears in the English translation in the document book.

"Ambassador Oshima declared that he received a telegram from Tokyo, and he is to report by order of his Government to the Reich Minister for Foreign Affairs the following: The suggestion of the German Government to attack Russia was the subject of a common conference between the Japanese Government and the Imperial headquarters, during which the question was discussed in detail and investigated exactly. The result is the following: The Japanese Government absolutely recognizes the danger, which threatens from Russia, and completely understands the desire of its German ally, that Japan on her part will also enter the war against Russia. However, it is not possible for the Japanese Government, considering the present war situation, to enter into the war. It is rather of the conviction that it would be in the common interest, not to start the war against Russia now. On the other hand, the Japanese Government would never disregard the Russian question.

"The Japanese Government has the intention to become aggressive again in the future on other fronts.

"The RAM brought up the question after the explanation by the Ambassador, how the continued waging of the war is envisaged in Tokyo. At present, Germany wages the war against the common enemies, England and America, mostly alone, while Japan mostly behaves more defensively. However, it would be more correct that all powers allied in the Three Power Pact would combine their forces to defeat England and America, but also Russia together. It is not good when one part must fight alone. One cannot overstrain the German national strength. He has worried

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silently, that certain forces work in Tokyo, who are of the opinion and who propagate it, that Germany would come through the fight victoriously, and that therefore Japan should consolidate itself further at first, before it makes further and utmost efforts."

I now skip several pages in the German text and resume the quotation:

"Then the RAM again brought up the question of the attack on Russia by Japan, and he declared that after all, the fight on the Burma front as well as in the South is actually more of a maritime problem, and on all fronts except those in China there are mostly very few ground forces committed. Therefore, the attack on Russia is primarily an Army affair, and he asked himself if the necessary forces would not be ready for that."

Ribbentrop kept on trying. He held another conference with Oshima about three weeks later on 18 April 1943. The top secret notes of this conference

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are contained in our Document 2929-PS, which I now offer as Exhibit USA 159. I shall quote only one sentence:

"The Reichminister for Foreign Affairs then stressed again that without any doubt this year presented the most favorable opportunity for Japan, if she felt strong enough and had sufficient anti-tank weapons at her disposal to attack Russia, which certainly would never again be as weak as she is at the moment."

I now wish to come to that aspect of this conspiracy which is in large measure responsible for the appearance of millions of Americans in uniform all over the world.

The Nazi preparations and collaborations with the Japanese against the United States, as noted by the United States Chief of Counsel in his opening statement, present a two-fold aspect; one of preparations by the Nazis themselves for attack from across the Atlantic, and the other of fomenting of war in the Pacific.

In the course of my presentation of the Nazi exhortation to the Japanese to war against the British Commonwealth and the U.S.S.R., I have referred to some documents and quoted some sentences relating to the United States. I shall take those documents up again in their relevant passages to show their particular application. I have also, in the treatment of Ribbentrop's urging the Japanese to war against the U.S.S.R., gone beyond the dates of 7 December and 11 December 1941, when the Japanese and German Governments respectively initiated and declared aggressive war against the United States.

These documents have indicated the Nazi awareness and acceptance of the direction in which their actions were leading as well as the universal aspects of their conspiracy and of their alliance with the Japanese. Their intentions against the United States must be viewed in the focus of both their overall plan and their immediate commitments elsewhere. That their overall plan involved ultimate aggressive war against the United States was intimated by the Defendant Goering in a speech on 8 July 1938, when these conspirators had already forcibly annexed Austria and were carrying their plan against

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Czechoslovakia.

This speech was delivered to representatives of the aircraft industry, and the copy that we have was transmitted as the inclosure to a secret memorandum from Goering's adjutant to General Udet who was then in charge of experimental research for the Luftwaffe. It is contained in our Document Number R-140, which I now offer as Exhibit USA 160.

I invite the Tribunal's attention to the statement in the covering memorandum that the inclosure is a copy of the shorthand minutes of the conference. I shall not go through the long speech, in which Goering called for increased aircraft production and pleaded the necessity for full mobilization of German industrial capacity. I wish to quote just two sentences, which appear on page 33 of the German text and page 11 of the English translation. Quoting from the second full paragraph on page 11 of the English translation, starting with the third sentence from the end of the paragraph:

"I still am missing entirely the bomber which flies with 5 tons of explosives as far as New York and back. I should be extremely happy to have such a bomber so that I would at last be able to stop somewhat the mouth of the arrogant people over there."

THE PRESIDENT: Which page is this on?

MR. ALDERMAN: Page 11 of the English translation. Goering's fervent hope, of course, was not capable of realization at that time, either technically or in the face of the Nazi conspirators' schedule of aggression that has been outlined here in the past several days.

During the period of their preparation for and waging of aggressive war in Europe, up to the launching of the campaign against the U.S.S.R., it is only reasonable to believe that these conspirators were not disposed to involve the United States at war at that time in war. Nevertheless, even in the fall of 1940 the prosecution of war against the United States of America at a later date was on the military agenda. This is clearly shown in a document which we have found in the

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files of the OKL, the German Air Force files. It is document 376-PS, which I now offer as Exhibit Number USA 161. This document is a memorandum marked "Chefsache", the German designation for top secret, from a Major von Falkenstein to an unspecified general, presumably a Luftwaffe General.

Falkenstein, who was a major of the General Staff, was at that time the Luftwaffe liaison officer with the Operations Staff of the OKW, which was the staff headed by the Defendant Jodl. His memorandum, which he characterizes as a "brief resume on the military questions current here", is dated the 29th of October 1940. It covers several questions. I shall quote to you Numbered Paragraph 5, which appears at the bottom of the first page of the English translation and carries over to the reverse side of the one-sheet document.

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"The Fuehrer is at present occupied with the question of the occupation of the Atlantic Islands with a view to the prosecution of war against America at a later date. Deliberations on this subject are being embarked upon here. Essential conditions are at the present:

"(a) No other operational commitment

"(b) Portuguese neutrality

"(c) Support of France and Spain.

"a brief assessment of the possibility of seizing and holding air bases and of the question of supply is needed from the GAF." -- or the German Air Force.

The Nazi's military interest in the United States is further indicated by Paragraph 7, which I read:

"General von Boetticher has made repeated reference, especially in his telegram 2314 dated 26/10 to the fact that in his opinion too many details of our knowledge of American aircraft industry are being published in the German press. The matter has been discussed at Armed Forces Supreme Command. I pointed out that the matter was a specifically GAF one, but have taken the liberty of referring the matter to you on its own merits."

Again in July 1941 in his first flush of confidence resulting from early gains in the aggression against the USSR, the Fuehrer signed an order for further preliminary preparations for the attack on the United States. This Top Secret order, found in the files of the German Navy, is our Document No. c-74, which I now offer as Exhibit USA 162. I read from the first paragraph of that text, just preceding the paragraph numbered (1):

"By virtue of the intentions announced in Directive No. 32, for the further conduct of the War, I lay down the following principles to govern the strength of personnel and of material supplies

"(1) In General:

"The military domination of Europe after the defeat of Russia will enable the strength of the Army to be considerably reduced in the near future. As far as the reduced strength of the Army will allow, the Armoured units will be greatly increased.

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"Naval armament must be restricted to those measures which have a direct connection with the conduct of the war against England and, should the case arise, against America.

"The main effort in armament will be shifted to the Air Force, which must be greatly increased in strength."

From these documents, it appears that the Nazi conspirators were making at least preliminary plans of their own against the United States. The Nazis plan with regard to the United States was, however, a complex one, involving in addition collaboration with the Japanese. In the course of their repeated representations to the Japanese to undertake an assault against British possessions in the Pacific Far East, they again considered war against the United States.

I now refer again to basic order number 24, regarding collaboration with Japan. This is our Document C-75, which I have put in as USA-151. I have read it in its entirety into the record. The Tribunal will recall that in that basic order, which was issued on 5 March 1941, the Nazi policy was state in subparagraph (3)(a) as "forcing England to the ground quickly and thereby keeping the United States out of the war."

Nevertheless, the Nazi conspirators clearly contemplated within the framework of that policy, the possibility of the United States' entry into the Far Eastern conflict which the Nazis were then instigating. This could result from an attack by Japan on possessions of the United States practically simultaneously with the assault on the British Empire, as actually happened. Other possibilities of the involvement of the United States were also discussed. This, basic order number 24 stated -- and I am referring to subparagraph (3)(c), on the top of page two of the document, C-75:

"The raw material situation of the pact powers demands that Japan should acquire possession of those territories which it needs for the continuation of the war, especially if the United States intervenes. Rubber shipments must be carried out even after the entry of Japan into the war, since they are of vital importance to Germany."

The order continues in an unnumbered paragraph immediately below subparagraph (3)(d):

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"In addition, attacks on other systems of bases of British naval power -- extending to those of American naval power only if the entry of the United States into the war cannot be prevented -- will result in weakening the enemy's system of power in that region and also, just like the attack on sea communications, in tying down substantial forces of all kinds (Australia)."

In those passages, there is a clear envisagement of United States involvement, as well as a clear intent to attack. The vital threat to United States interests if Japanwere to capture Singapore was also envisioned by the defendant Raeder in his meeting of 18 March 1941 with Hitler and the defendants Keitel and Jodl. These minutes are contained in our Document C-152, which has already been put in as Exhibit No. GB 122. I wish now to repeat the four sentences of Item 11 of the minutes of that conference, contained on page 1 of the English translation. I am quoting the defendant Raeder:

"Japan must take steps to seize Singapore as soon as possible, since the opportunity will never again be as favorable (the whole English fleet contained, unpreparedness of the United States of America for war against Japan, inferiority of the United States vis-a-vis the Japanese.) Japan is indeed making preparations for this action, but according to all declarations made by Japanese officers, she will only carry it out if Germany proceeds to land in England. Germany must, therefore, concentrate all her efforts on spurring Japan to act immediately. If Japan has Singapore, all other East Asiatic questions regarding the U.S.A. and England are thereby solved (Guam, the Phillipines, Borneo, and Dutch East Indies). Japan, wishes, if possible, to avoid war against the USA. She can do so if she determinedly takes Singapore as soon as possible."

The defendant Ribbentrop also recognized the possibility of United States involv ement as a result of the course of aggression that he was urging on the Japanese. I refer again to his meeting of 23 February, 1941 with the Japanese ambassador, Oshima, the

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notes of which are contained in our 1834 PS, which is in evidence as Exhibit No. USA 129.

The Tribunal will recall that in a passage I have already read, subparagraph (2), near the bottom of Page 3 of the English translation, Ribbentrop assured Matsuoka that a surprise by Japan was bound to keep the United States out of the war since she was unarmed and could not risk either her fleet or the possibility of losing the Phillipines as the result of a declaration of war. Two paragraphs later, Ribbentrop practically dropped the pretense that the United States would not be involved. I quote here from the last paragraph at the bottom of Page 3 of the English translation:

"The Reich Foreign Minister mentioned further that, if America should declare war because of Japan's entry into the war, this would mean that America had had the intention to enter the war sooner or later anyway. Even though it would be preferable to avoid this, the entry into the war would, as explained above, be by no means decisive and would not endanger the final victory of the countries of the Three Power Pact. The Foreign Minister further expressed his belief that a temporary lift of the British morale caused by America's entry into the war would be cancelled by Japan's en try into the war. If, however, contrary to all expectations, the Americans should be careless enough to send their Navy in spite of all, beyond Hawaii and to the Far East, this would represent the biggest chance fot the countries of the Three Power Pact to bring the war rapidly to an end. He, the Foreign Minister, is convinced that the Japanese fleet would then do a complete job. Ambassador Oshima replied to this, that unfortunately he does not think the Americans would do it, but he is convinced of a victory of this fleet in Japanese waters."

In the paragraphs that follow, some of which have already been read into the record, Ribbentrop again stresses the mutual inter-dependence of the Tripartite Pact Powers and suggested coordinated action.

I want to quote now only the last paragraph on Page 5, a difficult

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bit of Nazi cynicism which by now is quite familiar.

"The Reich Foreign Minister then touched upon the question, explicitly pointed out as theoretical, that the contracting powers might be required on the basis of new affronts by the U.S.A. to break off diplomatic relations. Germany and Italy were fundamentally determined on this; after signing of the Three-Power Pact, we should proceed if the occasion arises, but also jointly in this matter. Such a lesson should open the eyes of the people in the United States to the situation, and under certain conditions bring about a swing towards isolation in public opinion. Naturally a situation had to be chosen in which America found herself entirely in the wrong. The common step of the signatory powers should be exploited correspondingly in propaganda. The question, however, was in no way acute at the time."

Again, on 29 March 1941, Ribbentrop, this time in a conference with the Japanese Foreign Minister, Matsuoko, discussed the possible involvement of the United States. Notes of this conference are contained in our document 1877-PS, which I have already interduced as Exhibit "USA-152", an I have read it into the record. The relevant statements appear in the bottom two paragraphs of page 1, and the first full paragraph on page 2 of the English translation. I shall not take the Tribunal's time to read them again.

I should like to refer to one more document to show that the Nazi conspirators knew that the aggressive war they were urging the Japanese to undertake, both threatened the vital interests of the United States, and could lead to United States' involvement in the contemplated Far Eastern conflict. This document is our 1881-PS, report of the conference between Hitler and the Japanese Foreign Minister, Matsuoka, in Berlin on 4 April 1941. I've already offered, in my opening statement to the Tribunal two weeks ago, document 1881-PS as Exhibit Number "USA-33", and I read at that time a considerable portion of it into the record.

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Unless the Court prefers that I not do so, it seems to me desirable at this point to re-read a few brief passages.

THE PRESIDENT: I think we might treat it as being in evidence.

MR. ALDERMAN: I wish to emphasize, however, that the passages which I read two weeks ago, and which I had expected to re-read at this point, show not only a realization of the

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probable involvement of the United States in the Far Eastern conflict that the Nazis were urging, but also a knowledge on their part that the Japanese Army and Navy were actually preparing war plans against the United States. Furthermore, we have a document that shows the Nazis know at least a part of what those war plans were.

I now refer again to document number 1538-PS, which has been offered in evidence as Exhibit Number USA-154, the secret telegram from the German Military Attache in Tokyo, dated 24 May, 1941. He talks about the conferences he has had regarding Japan's entry in the war, in the event Germany should become involved in war with the United States.

In the paragraph numbered "1", this sentence also appears - I quote the last sentence in the paragraph number "1":

"Preparations for attack on Singapore and Manila stand."

May I at this point review the Nazi position with regard to the United States at this time, the Spring of 1941. In view of their press of committments elsewhere, and their aggressive plans against the USSR set for discussion in June of 1941, their temporary strategy was naturally a preference that the United States not be involved in the war at that time. Nevertheless, they had been considering their one preliminary plan against the United States, as seen in the Atlantic Island document which I offered.

They were repeatedly urging the Japanese to aggression against the British Commonwealth, just as they would urge them to attack the USSR soon after the launching of the Nazi invasion of the Soviet Union. They were aware that the course along which they were pushing the Japanese in the Far East would probably lead to involvement of the United States. Indeed, the Japanese Foreign Minister had told Hitler this in so many words, and their own military men had fully realized the implication of the move against Singapore. They also knew that the Japanese Army and Navy were preparting operation plans against the United States. They knew at least part of those plans.

The Nazi conspirators not only knew all these things; they accepted

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the risk of the aggressive course they were urging on the Japanese, and pushed their Eastern allies still further along that course.

In April, 1941, Hitler told the Japanese Foreign Minister that in the event Japan would have become involved in the war with the United States, Germany would immediately take the consequences and strike without delay.

I refer to our document 1881-PS, the notes of the Hitler-Matsuoka conference in Berlin on 4 April, 1941, which has already been introduced as Exhibit Number USA-33, I refer particularly to the first four paragraphs on page 2 of the English translation. I think that has been read to you at least twice, and I perhaps need not repeat it.

Then, skipping two paragraphs, we see Hitler then encouraging Matsuoka in his decision to strike against the United States, and I invite your attention to the fourth paragraph on page 2, which you have heard several times and which I shall not re-read.

Here in these passages were assurances, encouragement, abetment by the head of the German state, the leading Nazi co-conspirator, in April, 1941. But the Nazi encouragement and promise of support did not end there.

I now offer our document 2898-PS as Exhibit Number USA-163. This is another telegram from the German Ambassador in Tokyo, regarding his conversation with the Japanese Foreign Minister. It is dated the 30th of November, 1941, exactly one week before Pearl Harbor. I will read from the first four paragraphs on page 2 of the German text, which is the first paragraph of the English translation, and this passage, I am sure, has not been read to the Tribunal. No part of this document has been read.

"The progress of the negotiations so far confirms his viewpoint that the difference of opinion between Japan and the U.S. is very great. The Japanese government, since it sent Ambassador Kurusu, has taken a firm stand as he told

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me. He is convinced that this position is in our favor, and makes the United States think that her entry into the European war would be risky business. The new American proposal of 25 November showed great divergences in the viewpoints of the two nations. These differences of opinion concern, for example, the further treatment of the Chinese question. The biggest" -- and then the German text has the legend '1 group missing', indicating that one group of the secret code was garbled on transmission. It would appear from the text that the missing words are 'difference of opinion'. "The biggest (1 group missing) however resulted from the U.S. attempt to make the Three-Power agreement ineffective. U.S. suggested to Japan to conclude treaties of non-aggression with the U.S., the British Empire, the Soviet Union, and other countries in order to prevent Japan's entry into the war on the side of the Axis powers. Japan, however, insisted upon maintaining her treaty obligations, and for this reason American demands are the greatest obstacles for adjusting Japanese-American relations. He avoided discussing concessions promised by the U.S. and merely mentioned that grave decisions were at stake.

"The U.S. is seriously preparing for war and is about to operate a considerable part of its fleet from Southern Pacific bases. The Japanese Government is busy working out an answer in order to clarify its viewpoint. But he has no particulars at that moment. He thinks the American proposals, as a whole, unacceptable.

"Japan is not afraid of a breakdown of negotiations, and she hopes that in that case Germany and Italy, according to the Three-Power agreement, would stand at her side. I answered that there could be no doubt about Germany's future position. Japanese Foreign Minister thereupon stated that he understood from my words that Germany in such a case would consider her relationship to Japan as that of a community of fate. I answered, according to my opinion, Germany was certainly ready to have mutual agreement between the two countries over this situation.

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"Minister of Foreign Affairs answered that it was possible that he would come back to this point soon. The conversation with the Minister of Foreign Affairs confirmed the impression that the U.S. Note, in fact, is very unsatisfactory even for the compromise-seeking politicians here. For these circles America's position, especially in the China question, is very disappointing. The emphasis upon the Three-Power Pact as being the main obstacle between successful Japanese-U.S. negotiations seems to point to the fact that the Japanese Government is becoming aware of the necessity of close cooperation with the axis powers."

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The time is now fast approaching for that day of infamy. I offer our document 2987-PS as Exhibit USA-166. This document consists of extracts from the handwritten diary of Count Galeazzo Ciano during the period 3rd December to 8th December, 1941. It consists of notes he jotted down in the course of his daily business as Foreign Minister of Italy. The Italian has been translated into both English and German, and copies of both the English and the German are in the document books.

I now quote from the beginning of the entry of 3rd December, Wednesday.

"Sensational move by Japan. The Ambassador asks for an audience with the Duce and reads him a long statement on the progress of the negotiations with America, concluding with the assertion that they have reached a dead end. Then, invoking the appropriate clause in the Tripartite Pact, he asks that Italy declare war on America immediately after the outbreak of hostilities, and proposes the signature of an agreement not to conclude a separate peace. The interpreter translating this request was trembling like a leaf. The Duce gave fullest assurances, reserving the right to confer with Berlin before giving a reply. The Duce was pleased with the communication and said: 'We are now on the brink of the inter-continental war which I predicted as early as September, 1939.' What does this new event mean? In any case it means that Roosevelt has succeeded in his manoeuvre. Since he could not enter into the war immediately and directly, he entered it indirectly by letting himself be attacked by Japan. Furthermore, this event also means that every prospect of peace is becoming further and further removed, and that it is now easy--much too easy--to predict a long war. Who will be able to hold out longest? It is on this basis that the problem must be considered. Berlin's answer will be somewhat delayed, because Hitler has gone to the

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southern front to see General Kleist, whose armies continue to give way under the pressure of an unexpected Soviet offensive."

And then, December 4th, Thursday - that is three days before Pearl Harbor.

"Berlin's reaction to the Japanese move is extremely cautious. Perhaps they will accept because they cannot get out of it, but the idea of provoking America's intervention pleases the Germans less and less. Mussolini, on the other hand, is pleased about it."

And December 5th, Friday.

"A night interrupted by Ribbentrop's restlessness. After delaying two days, now he cannot wait a minute to answer the Japanese, and at three in the morning he sent Mackensen to my house to submit a plan for a triple agreement relative to Japanese intervention and the pledge not to make a separate peace. He wanted me to awaken the Duce, but I did not do so, and the latter was very glad I hadn't."

It appears from the last entry I have read, that of 5th December, that some sort of an agreement was reached.

On Sunday, 7th December, 1941, Japan, without previous warning or declaration of war, commenced an attack against the United States at Pearl Harbor and against the British Commonwealth of Nations in the South West Pacific. On the morning of 11th December, four days after the Japanese assault in the Pacific, the German Government declared war on the United States, committing the last act of aggression which was to seal its doom. This declaration of war is contained in Volume IX of the Dokumente der Deutschen Politik, of which I now ask the Tribunal to take judicial notice as Exhibit USA-164. An English translation is contained in our document book, and for the convenience of the Tribunal is No. 2507-PS.

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The same day, December 11, the fourth anniversary of which is tomorrow, the Congress of the United States resolved that a state of war between the United States and the Government of Germany, which has thus been thrust upon the United States, is her by formally declared. This declaration is contained as Document 272 in the official publications "Peace and War", of which the Tribunal has already taken judicial notice, as Exhibit USA 122. The declaration itself has been reproduced for the document books as our Document 2945-PS.

It thus appears that, apart from their own aggressive intentions and declaration of war against the United States, the Nazi conspirators, in thei collaboration with Japan, incited and kept in motion a force reasonably calculated to result in an attack on the United States. While maintaining thei preference that the United States not be involved in war at the time, they nevertheless foresaw a distinct possibility, even probability, of such involvement as a result of the action they were encouraging. They were aware that the Japanese had prepared plans for attack against the United States, and they accepted the consequences by insuring the Japanese that they would declare war on the United States should a United States-Japanese conflict result.

In dealing with captured documents of the enemy, the completeness of the plan is necessarily obscured, but those documents which have been discovered and offered in evidence before this Tribunal show that the Japanese attack was the proximate and foreseeable consequence of their collaboration policy, and that their exhortations and encouragement of the Japanese as surely let to Pearl Harbor as though Pearl Harbor itself had been mentioned.

I should like to read the Ciano diary entry for 8 December, the day after Pearl Harbor:

"A night telephone call from Ribbentrop. He is overjoyed about the Japanese attack on America. He is so happy about it that I am happy with him, though I am not too sure about the final advantages of what has happened. One thing is now certain: that America will enter the conflict,

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and that the conflict will be so long that she will be able to realize all her potential force. This morning I told this to the King, who had been pleased about the event. He ended by admitting that in the long run I may be right. Mussolini was happy too. For a long time he has favored a definite clarification of relations between America and the Axis."

The final document consists of the Top Secret notes of a conference between Hitler and Japanese Ambassador Oshima on 14 December 1941, from 1300 to 1400 hours, in the presence of the Reich Foreign Minister Ribbentrop It is our Document 2932-PS, which I now offer as Exhibit No. USA 165. The immediate subject matter is the Pearl Harbor attack, but the expressions therein typify Nazi technique. I quote from the second paragraph of the English translation, which has not been previously read:

"First the Fuehrer presents Ambassador Oshima with the Grand Cross of the Order of Merit of the German Eagle in gold. With cordial words he acknowledges his services in the achievement of German-Japanese cooperation, which has now obtained its culmination in a close brotherhood of arms.

"General Oshima expresses his thanks for the great honor and emphasizes how glad he is that htis brotherhood of arms has now come about between Germany and Japan.

"The Fuehrer continues: 'You gave the right declaration of war.' This method is the only proper one. Japan pursued it formerly and it corresponds with his own system, that is, to negotiate as long as possible. But if one sees that the other is interested only in putting one off, in shaming and humiliating one, and is not willing to come to an agreement, then one should strike as hard as possible, indeed, and not waste time declaring war. It was heartwarming to him to hear of the first operations of the Japanese. He himself negotiated with infinite patience at times, for example, with Poland and also with Russia. When he then realized that the other did not want to come to an agreement, he struck suddenly and without formality. He would continue to go this way in the future."

If the Tribunal please, that ends my presentation of the various

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phases of aggressive warfare charged as crimes against peace in Cou t I of the Indictment. As I conclude this phase, I hope the Tribunal will allow me to express my deep sense of obligation to Commander Sidney J. Kaplan, Section Chief, and to the members of his staff who did the yeoman work necessary to assemble and prepare these materials that I have presented. Those members in the staff, in the order in which the materials were presented, are Major Joseph Dainow, Lt. Commander Harold Leventhal, Lt. John M. Woolsey, Lt. James A. Gorrell, Lt. Roy H. Stover.

Commander Kaplan and his staff have fully measured up to the famous motto of his branch of the armed services, the United States Coast Guard, "Semper Paratus", always prepared.

THE PRESIDENT: The Tribunal will now adjourn.

(Whereupon at 1700 hours the hearing of the Tribunal adjourned to reconvene at 1000 hours, 11 December 1945.)